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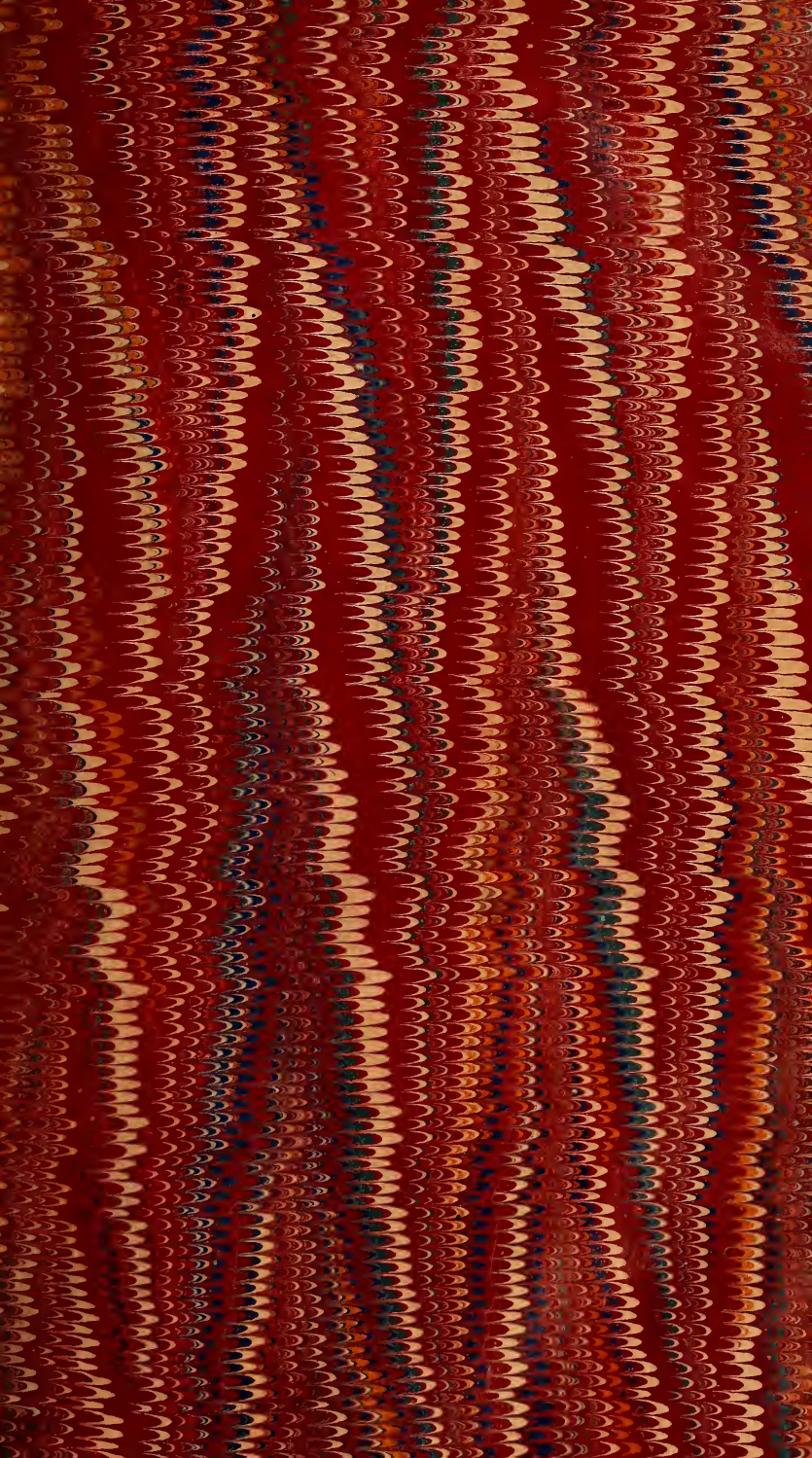
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UNITED STATES OF AMERICA.



Article 1.—Declaration of Rights.

PREAMBLE TO THE CONSTITUTION.

We, the people of Georgia, in order to form a permanent Gov-
ernment, establish justice, insure domestic tranquility, and
secure the blessings of liberty to ourselves and our posterity,
acknowledging and invoking the guidance of Almighty God,
the Author of all good Government, do ordain and establish
this Constitution for the State of Georgia.

CONSTITUTION.

ARTICLE I.—DECLARATION OF FUNDAMENTAL
PRINCIPLES.

SEC. I. Protection to person and property is the paramount
duty of Government, and shall be impartial and complete.

SEC. II. All persons born, or naturalized, in the United
States, and resident in this State, are hereby declared citizens
of this State, and no laws shall be made or enforced which shall
abridge the privileges or immunities of citizens of the United
States or of this State, or deny to any person within its juris-
diction the equal protection of its laws. And it shall be the
duty of the General Assembly, by appropriate legislation, to
protect every person in the due enjoyment of the rights, privi-
leges, and immunities guaranteed in this Section.

SEC. III. No person shall be deprived of life, liberty or prop-
erty, except by due process of law.

SEC. IV. There shall be within the State of Georgia neither
slavery or involuntary servitude, save as a punishment for crime
after legal conviction thereof.

SEC. V. The right of the people to appeal to the Courts, to
petition Government on all matters, and peaceably to assem-
ble for the consideration of any matter, shall never be im-
paired.

SEC. VI. Perfect freedom of religious sentiment shall be, and
the same is hereby, secured, and no inhabitant of this State shall

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Article 1.—Declaration of Rights.

ever be molested in person or property or prohibited from holding any public office or trust on account of his religious opinion; but the liberty of conscience, hereby secured, shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the people.

Benefit of
counsel, accus-
ation, list of
witnesses,
compulsory
process and
trial.

SEC. VII Every person charged with an offence against the laws, shall have the privilege and benefit of counsel, shall be furnished, on demand, with a copy of the accusation and a list of the witnesses on whose testimony the charge against him is founded, shall have compulsory process to obtain the attendance of his own witnesses, shall be confronted with the witnesses testifying against him, and shall have a public and speedy trial by an impartial jury.

Jeopardy of
life, &c.

SEC. VIII. No person shall be put in jeopardy of life or liberty more than once for the same offence, save on his or her own motion for a new trial, after conviction, or in case of mistrial.

Freedom of
speech and
press.

SEC. IX. Freedom of speech and freedom of the press are inherent elements of political liberty. But while every citizen may freely speak, or write, or print on any subject, he shall be responsible for the abuse of the liberty.

Unreasonable
searches.

SEC. X. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated; and no warrant shall issue, but upon probable cause, supported by oath, or affirmation, particularly describing the place, or places, to be searched, and the person, or things, to be seized.

Status of the
citizen.

SEC. XI. The social status of the citizen shall never be subject of legislation.

Opinions.

SEC. XII. No person shall be molested for his opinions, or be subject to any civil or political incapacity, or acquire any civil or political advantage in consequence of such opinions.

Habeas cor-
pus.

SEC. XIII. The writ of *habeas corpus* shall not be suspended unless, in case of rebellion or invasion, the public safety may require it.

Arms.

SEC. XIV. A well regulated Militia being necessary to the security of a free people, the right of the people to keep and bear arms shall not be infringed; but the General Assembly shall have power to prescribe by law the manner in which arms may be borne.

Frauds.

SEC. XV. The punishment of all frauds shall be provided by law.

Bail, fines and
punishment.

SEC. XVI. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted, nor shall any person be abused in being arrested, whilst under arrest, or in prison.

Contempt of
Courts.

SEC. XVII. The power of the Courts to punish for contempt shall be limited by legislative acts.

Imprisonment
for debt.
Libel.

SEC. XVIII. There shall be no imprisonment for debt.

SEC. XIX. In all prosecutions or indictments for libel, the

Article I.—Declaration of Rights.

truth may be given in evidence, and the jury shall have the right to determine the law and the facts.

SEC. XX. Private ways may be granted upon just compensation being paid by the applicant. Private ways.

SEC. XXI. All penalties shall be proportioned to the nature of the offence. Penalties.

SEC. XXII. Whipping, as a punishment for crime, is prohibited. Whipping.

SEC. XXIII. No Lottery shall be authorized, or sale of Lottery tickets allowed, in this State, and adequate penalties for such sale shall be provided by law. Lottery.

SEC. XXIV. No conviction shall work corruption of blood, and no conviction of treason shall work a general forfeiture of estate longer than during the life of the person attainted. Corruption of blood and forfeiture of estate.

SEC. XXV. Treason against the State of Georgia shall consist only in levying war against the State, or the United States, or adhering to the enemies thereof, giving them aid and comfort; and no person shall be convicted of treason except on the testimony of two witnesses to the same overt act, or his own confession in open Court. Treason.

SEC. XXVI. Laws shall have a general operation, and no general law, affecting private rights, shall be varied, in any particular case, by special legislation, except with the free consent, in writing, of all persons to be affected thereby; and no person under legal disability to contract is capable of such free consent. Laws shall be general.

SEC. XXVII. The power of taxation over the whole State shall be exercised by the General Assembly only to raise revenue for the support of Government, to pay the public debt, to provide a general school fund, for common defence, and for public improvement; and taxation on property shall be *ad valorem* only, and uniform on all species of property taxed. Taxation. Shall be ad valorem.

SEC. XXVIII. The General Assembly may grant the power of taxation to County authorities and Municipal corporations, to be exercised within their several territorial limits. By County and Municipal authority.

SEC. XXIX. No poll tax shall be levied except for educational purposes, and such tax shall not exceed One Dollar annually on each poll. Poll tax.

SEC. XXX. Mechanics and laborers shall have liens upon the property of their employers for labor performed or material furnished, and the Legislature shall provide for the summary enforcement of the same. Liens.

SEC. XXXI. The Legislative, Executive and Judicial Departments shall be distinct; and each department shall be confided to a separate body of Magistracy. No person or collection of persons, being of one Department, shall exercise any power properly attached to either of the others, except in cases herein expressly provided. Departments of Government.

SEC. XXXII. Legislative acts in violation of this Constitution, or the Constitution of the United States, are void, and the Judiciary shall so declare them. Legislative acts void.

Article 2.—Franchise and Elections.

Paramount
allegiance.

SEC. XXXIII. The State of Georgia shall ever remain a member of the American Union; the People thereof are a part of the American nation; every citizen thereof owes paramount allegiance to the Constitution and Government of the United States, and no law or ordinance of this State, in contravention or subversion thereof, shall ever have any binding force.

ARTICLE II.—FRANCHISE AND ELECTIONS.

Ballot.

SEC. I. In all elections, by the People, the Electors shall vote by ballot.

Electors.

SEC. II. Every male person, born in the United States, and every male person who has been naturalized, or who has legally declared his intention to become a citizen of the United States, twenty-one years old, or upward, who shall have resided in this State six months next preceding the election, and shall have resided thirty days in the county in which he offers to vote, and shall have paid all taxes which may have been required of him, and which he may have had an opportunity of paying, agreeably to law, for the year next preceding the election, (except as hereinafter provided) shall be deemed an Elector; and every male citizen of the United States, of the age aforesaid, (except as hereinafter provided) who may be a resident of the State at the time of the adoption of this Constitution, shall be deemed an Elector, and shall have all the rights of an Elector, as aforesaid: *Provided*, That no soldier, sailor, or marine in the military or naval service of the United States, shall acquire the rights of an Elector by reason of being stationed on duty in this State; and no person shall vote, who, if challenged shall, refuse to take the following oath: "I do swear that I have not given, or received, nor do I expect to give, or receive, any money, treat, or other thing of value, by which my vote, or any vote, is affected, or expected to be affected, at this election, nor have I given, or promised any reward, or made any threat, by which to prevent any person from voting at this election."

Oath.

Felonv or lar-
ceny disquali-
fies.

SEC. III. No person convicted of felony or larceny before any court of this State, or of, or in the United States, shall be eligible to any office or appointment of honor or trust within this State, unless he shall have been pardoned.

Holder of pub-
lic money.

SEC. IV. No person who is the holder of any public moneys shall be eligible to any office in this State, until the same is accounted for and paid into the Treasury.

Dueling.

SEC. V. No person who, after the adoption of this Constitution, being a resident of this State, shall engage in a duel in this State, or elsewhere, or shall send or accept a challenge, or be aider or abettor to such a duel, shall vote or hold office in this State; and every such person shall, also, be subject to such punishment as the law may prescribe.

Registration
of Electors.

SEC. VI. The General Assembly may provide, from time to time, for the registration of all Electors, but the following classes of persons shall not be permitted to register, vote, or hold office:

Article 3.—Legislative.

First—Those who shall have been convicted of treason, embezzlement of public funds, malfeasance in office, crime punishable by law with imprisonment in the Penitentiary, or bribery.
 Second—Idiots or insane persons.

SEC. VII. Electors shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest for five days before an election, during the election, and two days subsequent thereto. Freedom from arrest.

SEC. VIII. The sale of intoxicating liquors on days of election is prohibited. Sale of Liquors.

SEC. IX. Returns of election for all civil officers elected by the people, who are to be commissioned by the Governor, and also, for the Members of the General Assembly, shall be made to the Secretary of State, unless otherwise provided by law. Election returns.

SEC. X. The General Assembly, shall enact laws giving adequate protection to Electors before, during and subsequent to elections. Protection of Electors.

SEC. XI. The election of Governor, Members of Congress, and of the General Assembly, after the year 1868, shall commence on the Tuesday after the first Monday in November, unless otherwise provided by law Day of election.

ARTICLE III—LEGISLATIVE.

SECTION I.

I. The Legislative Power shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives, and until otherwise directed, the members thereof, after the first election, shall be elected, and the returns of the election made as now prescribed by law. Legislative power.

II The members of the Senate shall be elected for four years, except that the members elected at the first election from the twenty-two Senatorial Districts numbered in this Constitution with odd numbers, shall only hold their office for two years. The members of the House of Representatives shall be elected for two years. The election for members of the General Assembly shall begin on Tuesday after the first Monday in November of every second year, except the first election, which shall be within sixty days after the adjournment of this Convention; but the General Assembly may by law change the time of election, and the members shall hold until their successors are elected and qualified. Term of Senators.
Of Representatives.

III. The first meeting of the General Assembly shall be within ninety days after the adjournment of this Convention, after which it shall meet annually on the second Wednesday in January, or on such other day as the General Assembly may prescribe. A majority of each House shall constitute a quorum to transact business; but a smaller number may adjourn from day to day and compel the presence of its absent members as each House may provide. No session of the General Assembly, Meeting of the Legislature.
Quorum.
Sessions limited.

Article 3.—Legislative.

after the second under this Constitution, shall continue longer than forty days, unless prolonged by a vote of two-thirds of each branch thereof.

Eligibility.

IV. No person holding a Military Commission, or other appointment or office, having any emolument or compensation annexed thereto, under this State or the United States, or either of them, except Justices of the Peace and officers of the Militia, nor any defaulter for public money, or for any legal taxes required of him, shall have a seat in either House; nor shall any Senator or Representative, after his qualification as such, be elected by the General Assembly or appointed by the Governor, either with or without the advice and consent of the Senate, to any office or appointment, having any emolument annexed thereto, during the time for which he shall have been elected.

Removal vacates.

V. The seat of a member of either House shall be vacated on his removal from the District from which he was elected.

SECTION II.

Senatorial Districts.

I. There shall be Forty-Four Senatorial Districts in this State, composed, each, of three contiguous Counties, from each of which Districts one Senator shall be chosen. Until otherwise arranged, as hereinafter provided, the said Districts shall be constituted as follows:

The First District of Chatham, Bryan and Effingham.
 The Second District of Liberty, Tatnall and McIntosh.
 The Third District of Wayne, Pierce and Appling.
 The Fourth District of Glynn, Camden and Charlton.
 The Fifth District of Coffee, Ware and Clinch.
 The Sixth District of Echols, Lowndes and Berrien.
 The Seventh District of Brooks, Thomas and Colquitt.
 The Eighth District of Decatur, Mitchell and Miller.
 The Ninth District of Early, Calhoun and Baker.
 The Tenth District of Dougherty, Lee and Worth.
 The Eleventh District of Clay, Randolph and Terrell.
 The Twelfth District of Stewart, Webster and Quitman.
 The Thirteenth District of Sumter, Schley and Macon.
 The Fourteenth District of Dooley, Wilcox and Pulaski.
 The Fifteenth District of Montgomery, Telfair and Irwin.
 The Sixteenth District of Laurens, Johnson and Emanuel.
 The Seventeenth District of Bullock, Scriven and Burke.
 The Eighteenth District of Richmond, Glasscock and Jefferson.

son.

The Nineteenth District of Taliaferro, Warren and Greene.
 The Twentieth District of Baldwin, Hancock and Washington.
 The Twenty-First District of Twiggs, Wilkinson and Jones.
 The Twenty-Second District of Bibb, Monroe and Pike.
 The Twenty-Third District of Houston, Crawford and Taylor.
 The Twenty-Fourth District of Marion, Chattahoochee and Muscogee.

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The Twenty-Fifth District of Harris, Upson and Talbot.
 The Twenty-Sixth District of Spalding, Butts and Fayette.
 The Twenty-Seventh District of Newton, Walton and Clarke.
 The Twenty-Eighth District of Jasper, Putnam and Morgan.
 The Twenty-Ninth District of Wilkes, Lincoln and Columbia.
 The Thirtieth District of Oglethorpe, Madison and Elbert.
 The Thirty-First District of Hart, Franklin, and Habersham.
 The Thirty-Second District of White, Lumpkin and Dawson.
 The Thirty-Third District of Hall, Banks and Jackson.
 The Thirty-Fourth District of Gwinnett, DeKalb and Henry.
 The Thirty-Fifth District of Clayton, Fulton and Cobb.
 The Thirty-Sixth District of Merriwether, Coweta and Campbell.

The Thirty-Seventh District of Troup, Heard and Carroll.
 The Thirty-Eighth District of Harrison, Polk and Paulding.
 The Thirty-Ninth District of Cherokee, Milton and Forsyth.
 The Fortieth District of Union, Towns and Rabun.
 The Forty-First District of Fannin, Gilmer and Pickens.
 The Forty-Second District of Bartow, Floyd and Chatoga.
 The Forty-Third District of Murray, Whitfield and Gordon.
 The Forty-Fourth District of Walker, Dade and Catoosa.

If a new County be established it shall be added to a District which it adjoins, and from which the larger portion of its territory is taken. The Senatorial Districts may be changed by the General Assembly, but only at the first session after the publication of each census by the United States Government, and their number shall not be increased. If new Counties be created.

II. The Senators shall be citizens of the United States, who have attained the age of twenty-five years, and who, after the first election under this Constitution, shall have been citizens for two years, and for one year resident of the District from which elected. Qualification of Senators.

III. The Presiding Officer of the Senate shall be styled the President of the Senate, and shall be elected, *viva voce*, from the Senators. President of the Senate.

IV. The Senate shall have the sole power to try impeachments. When sitting for that purpose, the members shall be on oath or affirmation, and shall be presided over by one of the Judges of the Supreme Court, selected for that purpose by a *viva voce* vote of the Senate; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgments in cases of impeachment shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, trust, or profit, within this State; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law. Trial of Impeachment.

SECTION III.

I. The House of Representatives shall consist of one hundred and seventy-five Representatives, apportioned as follows: House of Representatives.

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To the six largest Counties, to wit: Chatam, Richmond, Fulton, Bibb, Houston and Burke, three Representatives each; to the thirty-one next largest, to wit: Bartow, Columbia, Coweta, Clarke, Decatur, Dougherty, Floyd, Gwinnett, Greene, Hancock, Harris, Jefferson, Lee, Muscogee, Monroe, Merriwether; Morgan, Macon, Newton, Oglethorpe, Pulaski, Randolph, Sumter, Stewart, Troup, Thomas, Talbot, Washington, Wilkes, and Warren, two Representatives each; and to the remaining ninety-five Counties, one Representative each.

Apportionment may be changed.

II. The above apportionment may be changed by the General Assembly after each census by the United States Government, but in no event shall the aggregate number of Representatives be increased.

Qualification of members.

III. The Representatives shall be citizens of the United States, who have attained the age of twenty-one years, and who, after the first election under this Constitution, shall have been citizens of this State for one year, and for six months resident of the Counties from which elected.

Speaker of the House.

IV. The Presiding officer of the House of Representatives shall be styled the Speaker of the House of Representatives, and shall be elected, *viva voce*, from the body.

Impeachment.

V. The House of Representatives shall have the sole power to impeach all persons who shall have been, or may be, in office.

Revenue.

VI. All bills for raising revenue, or appropriating money, shall originate in the House of Representatives, but the Senate may propose, or concur in, amendments as in other bills.

SECTION IV.

Elections, returns, and qualifications.

I. Each House shall be the judge of the election, returns, and qualifications of its members, and shall have power to punish them for disorderly behavior or misconduct, by censure, fine, imprisonment, or expulsion; but no member shall be expelled, except by a vote of two-thirds of the House from which he is expelled.

Each House may punish offenders.

II. Each House may punish, by imprisonment, not extending beyond the session, any person, not a member, who shall be guilty of contempt by any disorderly behavior in its presence, or who, during the session, shall threaten injury to the person, or estate of any member for anything said, or done, in either House, or who shall assault any member going to, or returning therefrom, or who shall rescue, or attempt to rescue, any person arrested by order of either House.

Exempt from arrest.

III. The members of both Houses shall be free from arrest during their attendance on the General Assembly, and in going to, or returning therefrom, except for treason, felony, larceny, or breach of the peace; and no member shall be liable to answer in any other place for anything spoken in debate in either House.

Journals of each House.

IV. Each House shall keep a Journal of its proceedings and publish it immediately after its adjournment. The yeas and

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nays of the members on any question shall, at the desire of one-fifth of the members present, be entered on the Journal. The original Journal shall be preserved, after publication, in the office of the Secretary of State, but there shall be no other record thereof.

V. Every bill before it shall pass shall be read three times and on three separate days in each House, unless in cases of actual invasion or insurrection. Nor shall any law, or ordinance, pass which refers to more than one subject-matter, or contains matter different from what is expressed in the title thereof. Bills.

VI. All acts shall be signed by the President of the Senate and the Speaker of the House of Representatives; and no bill, ordinance, or resolution, intended to have the effect of a law, which shall have been rejected by either House, shall be again proposed during the same session, under the same, or any other title, without the consent of two-thirds of the House by which the same was rejected. Acts—by whom signed.

VII. Neither House shall adjourn for more than three days, nor to any other place, without the consent of the other; and in case of disagreement between the two Houses on a question of adjournment, the Governor may adjourn either or both of them. Adjournments

VIII. The officers of the two Houses, other than the President and Speaker, shall be a Secretary of the Senate, and Clerk of the House, and an Assistant for each; a Journalizing Clerk, two Engrossing and two Enrolling Clerks for each House, and the number shall not be increased except by a vote of the House. And their pay, as well as the pay and mileage of the members, shall be fixed by law. Officers of each House.
their compensation.

IX. Whenever the Constitution requires a vote of two-thirds of either or both Houses for the passing of an act or resolution, the yeas and nays on the passage thereof shall be entered on the Journal, and all votes on confirmations, or refusals to confirm nominations to office by the Governor, shall be by yeas and nays, and the yeas and nays shall be recorded on the Journal. Yeas and nays.

X. Every Senator, or Representative, before taking his seat, shall take an oath, or affirmation, to support the Constitution of the United States, and of this State; that he has not practiced any unlawful means, directly or indirectly, to procure his election, and that he has not given, or offered, or promised, or caused to be given, or offered, or promised, to any person, any money, treat, or thing of value, with intent to affect any vote, or to prevent any person voting at the election at which he was elected. Oath of Senators and Representatives.

SECTION V.

I. The General Assembly shall have power to make all laws and ordinances, consistent with this Constitution, and not repugnant to the Constitution of the United States, which they shall deem necessary and proper for the welfare of the State. Powers of the General Assembly.

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Counties.

II. The General Assembly may alter the boundaries of, or lay off and establish new Counties, or abolish Counties, attaching the territory thereof to contiguous Counties, but no new County shall be established except by a vote of two-thirds of each House; nor shall any County be abolished except by a vote of two-thirds of each House, and after the qualified voters of the County shall, at an election held for the purpose, so decide.

SECTION VI.

Money, how
drawn from the
Treasury.

I. No money shall be drawn from the Treasury except by appropriation made by law, and a regular statement and account of the receipt and expenditure of all public money, shall be published from time to time, and, also, with the laws passed by each session of the General Assembly.

Donations.

II. No vote, resolution, law, or order, shall pass, granting a donation, or gratuity, in favor of any person, except by the concurrence of two-thirds of each branch of the General Assembly, nor, by any vote, to a sectarian corporation, or association.

Code—how
amended.

III. No law or section of the Code shall be amended or repealed by mere reference to its title, or to the number of the section in the Code, but the amending or repealing act shall distinctly and fully describe the law, to be amended or repealed, as well as the alteration to be made; but this clause shall be construed as directory, only to the General Assembly.

Citizens not
compelled to
contribute to
public improve-
ments.

IV. No law shall be passed by which a citizen shall be compelled against his consent, directly or indirectly, to become a stockholder in, or contribute to, any railroad or work of public improvement, except in the case of the inhabitants of a corporate town or city. In such cases, the General Assembly may permit the corporate authorities to take such stock, or make such contribution, or engage in such work, after a majority of the qualified voters of such town or city, voting at an election held for the purpose, shall have voted in favor of the same; but not otherwise.

Corporations,
precincts,
bridges, names
—how estab-
lished, &c.

V. The General Assembly shall have no power to grant corporate powers and privileges to private companies, except to Banking, Insurance, Railroad, Canal, Navigation, Mining, Express, Lumber, Manufacturing, and Telegraph Companies; nor to make, or change, election precincts; nor to establish Bridges or Ferries; nor to change names of legitimate children; but it shall prescribe, by law, the manner in which such powers shall be exercised by the Courts. But no charter for any Bank shall be granted, or extended, and no act passed authorizing the suspension of specie payments by any Bank, except by a vote of two-thirds of the General Assembly. The General Assembly shall pass no law making the State a stockholder in any corporate company; nor shall the credit of the State be granted, or loaned, to aid any company without a provision that the whole property of the Company shall be bound for the security of.

Specie pay-
ments.

The State shall
not be a stock-
holder; its
credit.

Article 4.—Executive.

the State, prior to any other debt, or lien, except to laborers; nor to any Company in which there is not, already, an equal amount invested by private persons; nor for any other object than a work of public improvement. No provision in this Constitution for a two-thirds vote of both Houses of the General Assembly, shall be construed to waive the necessity for the signature of the Governor, as in any other case, except in the case of the two-thirds vote required to override the veto.

ARTICLE IV.—EXECUTIVE.

SECTION I.

I. The Executive power shall be vested in a Governor, who shall hold his office during the term of four years, and until such time as a successor shall be chosen and qualified. He shall have a competent salary established by law, which shall not be increased, or diminished, during the period for which he shall have been elected; nor shall he receive, within that period, any other emolument from the United States, or either of them, or from any foreign power. Executive power.

II. After the first election, the Governor shall be elected quadrennially, by the persons qualified to vote for the members of the General Assembly, on the Tuesday after the first Monday in November, until such time be altered by law, which election shall be held at the places of holding general elections in the several Counties of this State, in the same manner as is prescribed for the election of members of the General Assembly. Governor—how elected.

The returns for every election of Governor, after the first, shall be sealed up by the Managers, separately from other returns, and directed to the President of the Senate and Speaker of the House of Representatives, and transmitted to His Excellency, the Governor, or the person exercising the duties of Governor for the time being, who shall, without opening the said returns, cause the same to be laid before the Senate, on the day after the two Houses shall have been organized; and they shall be transmitted by the Senate to the House of Representatives. Returns of his election.

The members of each branch of the General Assembly shall convene in the Representative Hall, and the President of the Senate and the Speaker of the House of Representatives shall open and publish the returns in the presence of the General Assembly; and the person having the majority of the whole number of votes given shall be declared duly elected Governor of this State; but if no person have such majority, then from the two persons having the highest number of votes, who shall be in life, and shall not decline an election at the time appointed for the Legislature to elect, the General Assembly shall immediately elect a Governor *viva voce*; and in all cases of election of a Governor by the General Assembly, a majority of the votes of the members present, shall be necessary for a choice. If no majority, Legislature elects.

Article 4.—Executive.

Contested elections.	tested elections shall be determined by both Houses of the General Assembly, in such manner as shall be prescribed by law.
Qualification of Governor.	III. No person shall be eligible to the office of Governor who shall not have been a citizen of the United States fifteen years and a citizen of this State six years, and who shall not have attained the age of thirty years.
In case of death, resignation or disability of Governor.	IV. In case of the death, resignation, or disability of the Governor, the President of the Senate shall exercise the Executive powers of the Government until such disability be removed, or a successor is elected and qualified. And, in case of the death, resignation, or disability of the President of the Senate, the Speaker of the House of Representatives shall exercise the Executive powers of the Government until the removal of the disability, or the election and qualification of a Governor. The General Assembly shall have power to provide by law for filling unexpired terms by a special election.
Oath of Governor.	V. The Governor shall, before he enters on the duties of his office, take the following oath or affirmation: "I do solemnly swear (or affirm, as the case may be,) that I will faithfully execute the office of Governor of the State of Georgia, and will, to the best of my abilities, preserve, protect and defend the Constitution thereof, and the Constitution of the United States of America "

SECTION II.

Commander-in-Chief.	I. The Governor shall be Commander-in-Chief of the Army and Navy of this State and of the Militia thereof.
Pardons.	II. He shall have power to grant reprieves and pardons, to commute penalties, and to remit any part of a sentence for offences against the State, except in cases of impeachment.
Writs of election.	III. He shall issue writs of election to fill all vacancies that happen in the Senate, or House of Representatives, and shall have power to convoke the General Assembly on extraordinary occasions, and shall give them, from time to time, information of the state of the Commonwealth, and recommend to their consideration such measures as he may deem necessary and expedient.
Convocations, &c.	
Vacancies.	IV. When any office shall become vacant by death, resignation, or otherwise, the Governor shall have power to fill such vacancy, unless otherwise provided by law; and persons so appointed shall continue in office until a successor is appointed agreeably to the mode pointed out by this Constitution, or by law, in pursuance thereof.
Nominees rejected.	V. A person once rejected by the Senate shall not be reappointed by the Governor to the same office during the same session, or the recess thereafter.
Revision of Bills.	VI. The Governor shall have the revision of all bills passed by both Houses, before the same shall become laws, but two-thirds of each House may pass a law, notwithstanding his dissent, and if any bill should not be returned by the Governor

Article 5.—Judiciary.

within five days (Sunday excepted) after it has been presented to him, the same shall be a law, unless the General Assembly, by their adjournment, shall prevent its return. He may approve any appropriation and disapprove any other appropriation in the same bill, and the latter shall not be effectual, unless passed by two-thirds of each House

Two-thirds vote.

VII. Every vote, resolution, or order, to which the concurrence of both Houses may be necessary, except on a question of election, or adjournment, shall be presented to the Governor, and before it shall take effect be approved by him, or being disapproved, shall be repassed by two-thirds of each House, according to the rules and limitations prescribed in case of a bill.

Resolutions.

VIII. There shall be a Secretary of State, a Comptroller General, a Treasurer and Surveyor General, elected by the General Assembly, and they shall hold their offices for the like period as the Governor, and shall have a competent salary, which shall not be increased, or diminished, during the period for which they shall have been elected. The General Assembly may, at any time, consolidate any two of these offices, and require all the duties to be discharged by one officer.

Secretary of State, Comptroller General, Treasurer, and Surveyor General.

IX. The Great Seal of the State shall be deposited in the office of the Secretary of State, and shall not be affixed to any instrument of writing but by order of the Governor, or General Assembly; and that now in use shall be the Great Seal of the State until otherwise provided by law.

Great Seal of the State.

X. The Governor shall have power to appoint his own Secretaries, not exceeding two in number, unless more shall be authorized by the General Assembly.

Governor's Secretaries.

ARTICLE V.—JUDICIARY.

SECTION I.

I. The Judicial Powers of this State shall be vested in a Supreme Court, Superior Courts, Courts of Ordinary, Justices of the Peace, Commissioned Notaries Public, and such other Courts as have been or may be established by law.

Judicial power.

SECTION II.

I. The Supreme Court shall consist of three Judges, two of whom shall constitute a quorum. When a majority of the Judges are disqualified from deciding any case, by interest or otherwise, the Governor shall designate certain Judges of the Superior Courts to sit in their stead. At the first appointment of Judges of the Supreme Court under this Constitution, one shall be appointed for four years, one for eight years, and one for twelve years; but all subsequent appointments, except to fill unexpired terms, shall be for the term of twelve years.

Supreme Court.

II. The Supreme Court shall have no original jurisdiction, Jurisdiction.

Article 5.—Judiciary.

Sessions.	but shall be a Court alone for the trial and correction of errors from the Superior Courts and from the City Courts of Savannah and Augusta, and such other like Courts as may be hereafter established in other cities; and shall sit at the seat of Government at such times in each year as shall be prescribed by law, for the trial and determination of writs of error from said Superior and City Courts. The days on which the cases from the several Circuits and City Courts shall be taken up by the Court, shall be fixed by law.
Cases—how disposed of.	III. The Supreme Court shall dispose of every case at the first or second term after such writ of error is brought; and in case the plaintiff in error shall not be prepared at the first term to prosecute the case, unless prevented by Providential cause, it shall be stricken from the docket, and the judgment below shall stand affirmed. In any case, the Court may, in its discretion, withhold its judgment until the next term after the same is argued.
If only two Judges.	IV. When only two Judges sit in any case, and they disagree, the judgment below shall stand affirmed.

SECTION III.

Judges of the Superior Courts.	I. There shall be a Judge of the Superior Courts for each Judicial Circuit. He may act in other Circuits when authorized by law. At the first appointment of such Judges under this Constitution, one half of the number (as near as may be) shall be appointed for four years, and the other half for eight years.
Jurisdiction.	II. The Superior Courts shall have exclusive jurisdiction in cases of divorce; in criminal cases, where the offender is subjected to the loss of life or confinement in the Penitentiary; in cases respecting titles to land and equity cases, except as herein-after provided; but the General Assembly shall have power to merge the Common Law and Equity Jurisdiction of said Courts. Said Courts shall have jurisdiction in all other civil cases, except as hereinafter provided. They shall have appellate jurisdiction in all such cases as may be provided by law. They shall have power to correct errors in Inferior Judicatories, by writ of <i>certiorari</i> , which shall only issue on the sanction of the Judge; and to issue writs of <i>mandamus</i> , prohibition, <i>scire facias</i> , and all other writs that may be necessary for carrying their powers fully into effect, and shall have such other powers as shall be conferred on them by law.
Appeals; new trials; judgment.	III. There shall be no appeal from one Jury in the Superior Courts to another; but the Court may grant new trials on legal grounds. The Court shall render judgment without the verdict of a jury in all civil cases, founded on contract, where an issuable defence is not filed on oath.
Sessions.	IV. The Superior Courts shall sit in each County not less than twice in each year, at such times as have been, or may be, appointed by law.

Article 5.—Judiciary.

SECTION IV.

I. Until the General Assembly shall otherwise direct, there shall be a District Judge and a District Attorney for each Senatorial District in this State. District Judges and Attorneys.

II. The District Judge shall have jurisdiction to hear and determine all offences not punishable with death or imprisonment in the Penitentiary; and it shall be the duty of the District Attorney to represent the State in all cases before the District Judge. Criminal jurisdiction.

III. The District Judge shall sit at stated times, not less than once in each month in each County in his District for the trial of offences, and at such other times as the General Assembly may direct. Sessions.

IV. Offenses shall be tried before the District Judge on a written accusation founded on affidavit; said accusation shall plainly set forth the offence charged, and shall contain the name of the accuser, and be signed by the District Attorney. Accusations.

V. There shall be no jury trial before the District Judge except when demanded by the accused, in which case the jury shall consist of seven. Jury.

VI. Such civil jurisdiction may be conferred on the District Judges as the General Assembly may direct. Civil jurisdiction.

VII. The District Judges and Attorneys shall hold their offices for a period of four years, and shall receive for their services such stated compensation, in their respective Districts, as may be provided by law, but in no event shall their compensation, be in anywise dependent on fines, forfeitures, or costs. Term of office and compensation.

SECTION V.

I. The powers of a Court of Ordinary and of Probate shall be vested in an Ordinary for each County, from whose decision there may be an appeal to the Superior Court, under regulations prescribed by law. Probate powers. Ordinary.

II. The Courts of Ordinary shall have such powers in relation to roads, bridges, ferries, public buildings, paupers, County officers, County funds, and taxes, and other matters, as shall be conferred on them by law.

III. The Ordinary shall hold his office for the term of four years, and until his successor is elected and qualified. Term of office.

SECTION VI.

I. There shall be in each District, one Justice of the Peace, whose official term, except when elected to fill an unexpired term, shall be four years. Justice of the Peace.

II. The Justices of the Peace, shall have jurisdiction, except as hereinafter provided, in all civil cases where the principal sum claimed does not exceed one hundred dollars, and may sit at any time for the trial of such cases; but in cases where the Jurisdiction.

Article 5.—Judiciary.

sum claimed is more than fifty dollars, there may be an appeal to the Superior Court, under such regulations as may be prescribed by law.

Appeals.

III. There shall be no appeal to a jury from the decision of a Justice of the Peace, except as provided in the foregoing paragraph.

Notaries Public.

IV. Notaries Public may be appointed and commissioned by the Governor, not to exceed one for each Militia District, for a term of four years, and shall be, *ex officio*, Justices of the Peace

SECTION VII.

Attorney General.

I. There shall be an Attorney General of the State, whose official term, except when appointed to fill an unexpired term, shall be four years.

His duty.

II. It shall be the duty of the Attorney General to act as the legal adviser of the Executive Department, to represent the State in all civil and criminal cases in the Supreme and Superior Courts, when required by the Governor, and to perform such other services as shall be required of him by law.

SECTION VIII.

Solicitors General.

I. There shall be a Solicitor General for each Judicial Circuit, whose official term, except when appointed to fill an unexpired term, shall be four years.

Their duty.

II. It shall be the duty of the Solicitor General to represent the State in all cases in the Superior Court of his Circuit, and in all cases taken up from his Circuit to the Supreme Court, and to perform such other services as shall be required of him by law.

SECTION IX.

Judicial officers—how appointed and removed.

I. The Judges of the Supreme and the Superior Courts, the Attorney General, Solicitors General, and the District Judges, and Attorneys shall be appointed by the Governor, with the advice and consent of the Senate, and shall be removable by the Governor on the address of two-thirds of each branch of the General Assembly, or by impeachment and conviction thereon.

Justices elected and removable.

II. Justices of the Peace shall be elected by the legal voters in their respective Districts, and shall be commissioned by the Governor. They shall be removable on conviction for malpractice in office.

SECTION X.

Compensation of Judicial officers.

I. The Judges of the Supreme and Superior Courts, and the Attorney and Solicitor General shall have, out of the State

Article 5.—Judiciary.

Treasury, adequate and honorable salaries on the specie basis, which shall not be increased or diminished during their continuance in office. The District Judges and District Attorneys shall receive, out of the Treasuries of the several Counties of their Districts, adequate compensation, on the specie basis, which shall not be increased or diminished during their term of office; but said Judges shall not receive any other perquisites, or emoluments whatever, from parties, or others, on account of any duty required of them.

II. The General Assembly shall provide for the equitable apportionment of the compensation for the District Judges and Attorneys between the Counties composing their Districts, and shall require the moneys arising from fines and forfeitures in the District Courts to be paid into the Treasuries thereof.

Of District
Judges and
Attorneys.

III. No person shall be Judge of the Supreme or Superior Courts, or Attorney General, unless, at the time of his appointment, he shall have attained the age of thirty years, and shall have been a citizen of this State three years, and have practiced law for seven years.

Qualifications
of Judges and
Attorney Gen-
eral.

SECTION XI

I. No total divorce shall be granted except on the concurrent verdict of two juries. When a divorce is granted, the jury rendering the final verdict shall determine the rights and disabilities of the parties, subject to the revision of the Court.

Divorce.

SECTION XII.

I. Divorce cases shall be tried in the County where the defendant resides, if a resident of this State.

Where tried.

II. Criminals cases shall be tried in the County where the crime was committed, except cases in the Superior Courts, when the presiding Judge is satisfied that an impartial jury cannot be obtained in such County.

Criminals—
where tried.

III. Cases respecting titles to land shall be tried in the County where the land lies, except where a single tract is divided by a County line, in which case the Superior Court of either County shall have jurisdiction.

Land titles—
where tried.

IV. Equity cases shall be tried in the County where a defendant resides against whom substantial relief is prayed.

Equity cases—
where tried.

V. Suits against joint obligors, joint promisors, co-partners, or joint trespassers residing in different Counties may be tried in either County.

Suits vs. joint
obligators, &c.
—where tried.

VI. Suits against the maker and indorser of promissory notes, or other like instruments, residing in different Counties, shall be tried in the County where the maker resides.

Suits vs. maker
and indorser.

VII. All other cases shall be tried in the County where the defendant resides.

All other cases

Article 5.—Judiciary.

SECTION XIII.

Right of trial
by Jury.

I. The right of trial by jury, except where it is otherwise provided in this Constitution, shall remain inviolate.

Jurors.

II. The General Assembly shall provide by law for the selection of upright and intelligent persons to serve as Jurors. There shall be no distinction between the classes of persons who compose grand and petit juries. Jurors shall receive adequate compensation for their services, to be prescribed by law.

SECTION XIV.

Inferior Courts
abolished.

I. The Courts heretofore existing in this State, styled Inferior Courts, are abolished, and their unfinished business and the duties of the Justices thereof are transferred to such tribunals as the General Assembly may designate.

SECTION XV.

County Com-
missioners.

I. The General Assembly shall have power to provide for the creation of County Commissioners in such Counties as may require them, and define their duties.

SECTION XVI.

County Courts
abolished.

I. All Courts not specially mentioned by name in the first Section of this Article, may be abolished in any County, at the discretion of the General Assembly, and the County Courts now existing in Georgia are hereby abolished.

SECTION XVII.

Courts limited
in civil juris-
diction.

I. No Court in this State shall have jurisdiction to try or determine any suit against any resident of this State upon any contract or agreement made or implied, or upon any contract made in renewal of any debt existing prior to the first day of June, 1865. Nor shall any Court or ministerial officer of this State have authority to enforce any judgment, execution or decree rendered or issued upon any contract or agreement made or implied, or upon any contract in renewal of a debt existing prior to the first day of June, 1865, except in the following cases :

Suits vs trus-
tees.

1. In suits against trustees where the trust property is in the hands of the trustee, or has been invested by him in other specific effects now in his hands, and in suits by the vendor of real estate against the vendee, where not more than one-third of the purchase money has been paid, and the vendee is in possession of the land or specific effects for which he has sold it, and he refuses to deliver the land or said effects to the vendor. In

Article 5.—Judiciary.

such cases the officers may entertain jurisdiction and enforce judgments against said trust property, or land, or effects.

2. In suits for the benefit of minors by trustees appointed By trustees. before the first day of June, 1865.

3. In suits against corporations in their corporate capacity, Vs. corporations. but not so as to enforce the debt against the stockholders or officers thereof in their individual capacity.

4. In suits by charitable or literary institutions for money By charitable associations. loaned, property—other than slaves—sold; or services rendered by such institutions.

5. In suits on debts due for mechanical or manual labor, By mechanics. when the suit is by the mechanic or laborer.

6. In cases where the debt is set up by way of defence, and Mutual debts. the debt set up exceeds any debt due by defendant to plaintiff of which the Courts are denied jurisdiction

7. In all other cases in which the General Assembly shall by Jurisdiction by Legislature. law give the said Courts and Officers jurisdiction: *Provided*, that no Court or Officer shall have, nor shall the General Assembly give, jurisdiction or authority to try or give judgment on or enforce any debt, the consideration of which was a slave or slaves, or the hire thereof.

II. All contracts made and not executed during the late Confederate contracts. rebellion, with the intention, and for the purpose, of aiding and encouraging said rebellion, or where it was the purpose and intention of any one of the parties to such contract to aid or encourage such rebellion, and that fact was known to the other party, whether said contract was made by any person or corporation with the State or Confederate States, or by a corporation with a natural person, or between two or more natural persons, are hereby declared to have been, and to be, illegal, and all bonds, deeds, promissory notes, bills, or other evidences of debt, made or executed by the parties to such contract, or either of them in connection with such illegal contract, or as the consideration therefor or in furtherance thereof, are hereby declared *null and void*, and shall be so held in all Courts in this State when attempt shall be made to enforce any such contract or give validity to any such obligation or evidence of debt. And in all cases when the defendant or any one interested in the event of the suit will make a plea, supported by his or her affidavit, that he or she has reason to believe that the obligation or evidence of indebtedness upon which the suit is predicated, or some part thereof, has been given or used for the illegal purpose aforesaid, the burden of proof shall be upon the plaintiff to satisfy the Court and Jury that the bond, deed, note, bill or other evidence of indebtedness upon which said suit is brought, is or are not, nor is any part thereof, founded upon, or in any way connected with any illegal contract, and has not been used in aid of the rebellion, and the date of such bond, deed, note, bill or other evidence of indebtedness shall not be evidence that it has, or has not, since its date, been issued, transferred or used in aid of the rebellion.

Articles 6 and 7.—Education and Homestead.

Tax on debts. III. It shall be in the power of the General Assembly to assess and collect upon all debts, judgments, or causes of action when due, founded on any contract made or implied before the first day of June, 1865, in the hands of any one in his own right, or as trustee, agent or Attorney of another, on or after the first day of January, 1868, a tax of not exceeding 25 per cent., to be paid by the creditor on pain of the forfeiture of the debt, but chargeable by him as to one-half thereof against the debtor, and collectable with the debt; *Provided*, That this tax shall not be collected if the debt or cause of action be abandoned or settled without legal process, or, if in judgment, be settled without levy and sale; *And provided further*, That this tax shall not be levied so long as the Courts of this State shall not have jurisdiction of such debts or causes of action.

ARTICLE VI.—EDUCATION.

General education. I. The General Assembly, at its first session after the adoption of this Constitution, shall provide a thorough system of General Education, to be forever free to all children of the State, the expense of which shall be provided for by taxation, or otherwise.

School Commissioner. II. The office of State School Commissioner is hereby created. He shall be appointed by the Governor, with the consent of the Senate, and shall hold his office for the same term as the Governor. The General Assembly shall provide for the said Commissioner a competent salary and necessary clerk. He shall keep his office at the Seat of Government.

Educational fund. III. The Poll tax allowed by this Constitution, any Educational fund now belonging to this State—except the endowment of, and debt due to, the State University—or that may hereafter be obtained in any way, a special tax on Shows and Exhibitions, and on the sale of spirituous and malt liquors—which the General Assembly is hereby authorized to assess—and the proceeds from the commutation for militia service, are hereby set apart and devoted to the support of Common Schools. And if the provisions herein made shall, at any time, prove insufficient, the General Assembly shall have power to levy such general tax upon the property of the State, as may be necessary for the support of said School System. And there shall be established, as soon as practicable, one or more Common Schools in each School District in this State.

ARTICLE VII —HOMESTEAD AND EXEMPTION.

SECTION I.

Homestead. I. Each head of a family, or guardian, or trustee, of a family of minor children, shall be entitled to a homestead of realty to the value of two thousand dollars, in specie, and personal prop-

Articles 8, 9 and 10.—Militia, County Officers, Capital.

erty to the value of one thousand dollars, in specie, both to be valued at the time they are set apart. And no Court, or Ministerial officer in this State, shall have jurisdiction, or authority, to enforce any judgment, decree or execution against said property so set apart—including such improvements as may be made thereon, from time to time—except for taxes, money borrowed and expended in the improvement of the homestead, or for the purchase of money for the same, and for labor done thereon, or material furnished therefor, or removal of encumbrances thereon. And it shall be the duty of the General Assembly, as early as practicable, to provide, by law, for the setting apart and valuation of said property, and to enact laws for the full and complete protection and security of the same to the sole use and benefit of said families as aforesaid.

II. All property of the wife, in her possession at the time of her marriage, and all property given to, inherited, or acquired by her, shall remain her separate property, and not be liable for the debts of her husband. Wife's estate.

ARTICLE VIII.—MILITIA.

SEC. I. The Militia shall consist of all able-bodied male persons between the ages of eighteen and forty-five years, except such as may be exempted by the laws of the United States or this State; and shall be organized, officered, armed, equipped, and trained in such manner as may be provided by law; subject to the paramount authority of Congress over this subject. Militia.
Authority of Congress.

SEC. II. Volunteer Companies of Cavalry, Infantry, or Artillery, may be formed in such manner, and with such restrictions, as may be provided by law. Volunteers.

SEC. III. No person conscientiously opposed to bearing arms, shall be compelled to do Militia duty, but such person shall pay an equivalent for exemption; the amount to be prescribed by law and appropriated to the Common School Fund. Exemption.

ARTICLE IX.—COUNTY OFFICERS.

I. The County officers recognized as existing by the laws of this State, and not abolished by this Constitution, shall, where not otherwise provided for in this Constitution, be elected by the qualified voters of their respective Counties or Districts, and shall hold their offices for two years. They shall be removable on conviction for malpractice in office, or on the address of two-thirds of the Senate. County officers.

ARTICLE X.—SEAT OF GOVERNMENT.

I. The seat of Government of this State, from and after the date of the ratification of this Constitution, shall be in the City of Atlanta, and the General Assembly shall provide for the Seat of Government.

Article 11.—Laws of General Operation.

erection of a new Capitol, and such other buildings as the public welfare may require.

Removal.

II. The General Assembly shall have power to provide for the temporary removal of the Seat of Government in case of invasion, pestilence, or other emergency.

ARTICLE XI.—THE LAWS OF GENERAL OPERATION IN FORCE IN THIS STATE ARE:

Constitution,
&c., of the
U. S.

I. As the Supreme Law: The Constitution of the United States, the laws of the United States in pursuance thereof, and all treaties made under the authority of the United States.

This Constitu-
tion.

II. As next in authority thereto: this Constitution.

Irwin's Code.

III. In subordination to the foregoing: All acts passed by any legislative body, sitting in this State as such, since the 19th day of January, 1861, including that body of laws known as the Code of Georgia, and the acts amendatory thereof, or passed since that time, which said Code and acts are embodied in the printed book known as "Irwin's Code;" and also so much of the Common and Statute laws of England and of the Statute laws of Georgia, as were in force in this State on the 19th day of December, 1860, as are not superseded by said Code, though not embodied therein, except so much of the said several Statutes, Code and Laws as may be inconsistent with the supreme law herein recognized, or may have been passed in aid of the late rebellion against the United States, or may be obsolete, or may refer to persons held in slavery, which excepted laws are inoperative and void; and any future General Assembly shall be competent to alter or repeal (if not herein prohibited) any portion of the laws declared to be of force in this third specification of this clause of this Article; and if in any of said laws herein declared of force, the word "Confederate" occurs before the word States, such law is hereby amended by substituting the word "United" for the word "Confederate."

Local and pri-
vate acts.

IV. Local and private acts passed for the benefit of counties, cities, towns, corporations and private persons, not inconsistent with the Supreme Law, nor with this Constitution, and which have not expired nor been repealed, shall have the force of Statute Law, subject to Judicial decision as to their validity when passed, and to any limitations imposed by their own terms

Legal rights.

V. All rights, privileges and immunities which may have vested in, or accrued to, any person or persons, or corporation, in his, her, or their own right, or in any fiduciary capacity, under any act of any legislative body sitting in this State as such, or of any decree, judgment or order of any Court, sitting in this State, under the laws then of force and operation therein—and recognized by the people as a Court of competent jurisdiction, since the 19th day of January, 1861, shall be held invio-

Article 11.—Laws of General Operation.

late by all the Courts of this State, unless attacked for fraud, or unless otherwise declared invalid by, or according to, this Constitution.

VI. The records, dockets, books, papers, and proceedings of any Court or office existing in this State by the laws thereof on the 19th of January, 1861, or purporting to exist by said laws, and recognized and generally obeyed by the people, as such, since the said time, and before the several Courts and officers provided for by this Constitution shall have gone into actual operation, shall be transferred to the several Courts and offices of the same name or functions by this Constitution provided for, and shall have force and be executed, perfected and performed therein, and thereby, as follows, and not otherwise, to wit:

Final judgments, decrees, proceedings and acts fully executed and performed, or not requiring performance or execution, shall have full force and effect as though no interruption had taken place in the succession of said courts and offices, except as herein otherwise provided. Proceedings not final, and judgments and decrees not fully executed or performed, shall proceed and be performed in such cases, and such cases only, as this Constitution, or the laws made in pursuance thereof, confer jurisdiction and authority over the causes of actions on which said cases, judgments, decrees, or proceedings, civil or criminal, are founded: *Provided*, That all said judgments, decrees and proceedings shall be subject to be set aside, or reversed, or vacated by proceedings in the several courts having custody of the records, as though they were the judgments of said courts, and shall be subject always to be explained as to the meaning of the word dollar or dollars, as used in the same, and no motion for a new trial, bill of review, or other proceeding, to vacate any judgment, order or decree, made since the 19th of January, 1861, by any of said courts for fraud, illegality, or error of law, shall be denied, by reason of the same not having been moved in time: *Provided*, said motion or application is made in twelve months from the adoption of this Constitution.

Judicial proceedings.

VII. The books, papers and proceedings of the Inferior Courts shall be transferred to, and remain in, the control of the Ordinaries, who shall perform the duties of said Courts until otherwise provided by law. The books, papers and proceedings of the County Courts, and the unfinished business thereof, shall be transferred to the Superior Courts, and the same shall be finished and performed by the said Superior Courts and the officers thereof, in such cases, and in such cases only, as the said Courts are, by this Constitution, or the laws made in pursuance thereof, granted jurisdiction over the subject-matter, or debts on which said cases and judgments, civil or criminal, are founded.

Records of the Inferior Courts.

Of County Courts.

VIII. The cases pending, and the judgments had and made, in the City Courts of Savannah and Augusta, and in the various

City Courts.

Article 12.—Amendments.

Justices' Courts in this State, shall be finished, and the judgments performed by the City Courts, and officers and justices provided by this Constitution, in such cases, and such only, as by this Constitution jurisdiction is given to said courts and officers, over the causes of action on which they are founded.

Judicial officers appointed by military authority.

IX. The judgments and proceedings of Courts, and acts of officers within their jurisdiction, as provided by law, shall be valid, notwithstanding the Judges of said Courts or the said officers were appointed by the Military Authorities of the United States, and any of said judgments, or acts, or proceedings made, or done; under or by virtue of, or in accordance with, the orders of said Military Authorities, duly made, are as valid as if done under a law of this State.

Confirmatory.

Acts.

X. These several acts of confirmation shall not be construed to divest any vested right, nor make any act criminal, otherwise not criminal, but they shall be construed as acts of peace, and to prevent injustice: *Provided*, That nothing in this Constitution shall be construed as to make valid any acts done by, or before, any such *de facto* officer, which would, by legalizing such acts, render that criminal which was not criminal when done, or cause any act not legally criminal, when done, to become criminal, by giving validity to such act after it was done; but all such acts shall be held by the courts to be null and void.

Amendments by Congress.

XI. Should this Constitution be ratified by the people, and Congress accept the same with any qualifications or conditions, the Government herein provided for, and the officers elected, shall nevertheless exist and continue in the exercise of their several functions, as the Government of this State, so far as the same may be consistent with the action of the United States in the premises.

Limitation of certain ordinances.

XII. The ordinances of this Convention on the subject of the first election, and the first General Assembly, shall have the force of laws, until they expire by their own limitation, and all other ordinances of a mere Legislative character, shall have the force of laws, until otherwise provided by the General Assembly.

ARTICLE XII.—AMENDMENTS TO THE CONSTITUTION.

Amendment to Constitution.

I. This Constitution may be amended by a two-thirds vote of the Legislature, and by a submission of the amendment to the qualified voters for final ratification. But the General Assembly shall not call a Convention of the people in the election of delegates to which any person, qualified to vote by this Constitution, shall be disqualified. And the representation in

Article 12.—Amendments.

said Convention shall be based on population. Nor shall the right of suffrage ever be taken from any person qualified by this Constitution to vote.

J. R. PARROTT,
President of the Convention.

Attest:

P. M. SHEIBLEY,
Secretary of the Convention

ATLANTA, GA., March 12, 1868.

I hereby certify that the foregoing is a correct copy of the Constitution, ordained by the Georgia Constitutional Convention, and adopted, as a whole, by that body, on the eleventh day of March, 1868.

P. M. SHEIBLEY,
Secretary of the Convention

Election of Civil Officers.

ORDINANCES.

AN ORDINANCE TO PROVIDE FOR ELECTION OF
CIVIL OFFICERS

WHEREAS, All civil officers of the State are only provisional, Preamble.
until this State is represented in Congress; and

WHEREAS, The interest of Georgia requires that all civil
offices should be filled by loyal citizens, according to the pro-
visions of the Constitution, being framed by this Convention,
at the earliest practicable moment, and for the purpose of avoid-
ing any unnecessary loss of time, and useless expense to the
State;

It is ordained, That an election be held, beginning on the
20th day of April, 1868, (at such places as may be designated
by the Commanding General of this District,) for voting on
ratification of the Constitution, for the election of Governor,
Members of the General Assembly, Representatives to the
Congress of the United States, and all other officers to be
elected, as provided in the Constitution, and said election shall
be kept open, from day to day, at the discretion of the General
Commanding; and at said election on the ratification of the
Constitution, and for Governor, Members of Congress, Members
of the General Assembly, and all other civil officers, the qualifi-
cation for voters, shall be the same as prescribed by the act of Con-
gress (known as the Sherman Bill,) for voters at the election
on the ratification of the Constitution, and at all elections under
the Provisional Government. And, Major General Meade is
respectfully requested to give the necessary orders to carry
into effect the foregoing provisions, and cause due returns to be
made, and certificates of election to issue, by proper officers.

And be it further ordained, That the regulations established
by Congress for voting upon the ratification of the Constitution,
and for voting at elections under the Provisional Government,
shall apply to the election of officers, as aforesaid; and the
persons so elected, or appointed, shall enter upon the duties of
the several offices, to which they have been respectively elected,
when authorized so to do, by acts of Congress; or by the order
of the General Commanding; and shall continue in office till

Election April
20th on ratifi-
cation, and for
Governor,
Members of
the Legisla-
ture, Con-
gressmen, and
Civil Officers.

Qualification
of Voters.

Military or-
ders.

Regulations.

Officers elect
enter upon
their duties.

Election of Municipal Officers.

Their term.	the regular succession, provided for, after the year 1868, and until successors are elected and qualified; so that said officers shall, each of them, hold their offices, as though they were elected on the Tuesday after the first Monday in November, 1868; or elected, or appointed, by the General Assembly next thereafter; and, the rules for conducting and making returns thereof, shall be the same as shall be prescribed by the Commanding General, for the elections and returns on the ratification of the Constitution. But this ordinance shall not apply to the Justices of the Peace, who shall be elected at such time as shall be provided for by the first General Assembly, until otherwise provided by law. Upon any voter being challenged he shall take the following oath:
Returns—how made.	
Justices of the Peace.	
Oath of voter.	“You do solemnly swear, (or affirm,) that you have been duly registered agreeably to the acts of Congress; that you have not prevented, or attempted to prevent, any person from voting at this election; that if the Constitution, upon which the vote is now being taken, is ratified, you will truly and faithfully support it: So help you God.” Adopted March 10, 1868.

AN ORDINANCE TO PROVIDE FOR CERTAIN MUNICIPAL ELECTIONS.

Election to commence April 20th for all municipal officers.	<i>The people of the State of Georgia, in Convention met, do ordain,</i> That the election for Mayor, Aldermen, Councilmen and other officers, elected by the people in all cities and incorporated towns, in this State, where the official term has expired, and the vacancies have not been filled, by appointment of the military authorities, shall commence on the 20th day of April, in the present year; and the Major General commanding the Third Military District is respectfully requested to give the necessary orders to carry into effect the foregoing provisions, and cause due returns to be made, and certificates of election to issue, by the proper officers.
Military orders.	
Regulations.	<i>And be it further ordained,</i> That the regulations, established by Congress, for voting upon the ratification of the Constitution, and for voting at elections under the Provisional Government, shall apply to the election of officers as aforesaid; and the persons so elected shall continue in office till the regular succession, provided for after the year 1868, and until successors are elected and qualified. Upon any voter being challenged he shall take the following oath:
Term of Office.	
Oath of voter.	“You most solemnly swear (or affirm) that you have been duly registered, agreeably to the Acts of Congress; that you have not prevented, or endeavored to prevent, any person from voting at this election: So help you God.” Adopted March 10, 1868.

Congressional Districts—Temporary Relief.

AN ORDINANCE TO ESTABLISH CONGRESSIONAL DISTRICTS.

The people of Georgia, in Convention assembled, do ordain, Congressional Districts.
That, conforming to the last apportionment of members of the House of Representatives of the United States Congress, there shall be, in the State of Georgia, Seven Congressional Districts, as follows, until changed by act of the General Assembly, viz :

The First District shall include the Counties of Chatham, First.
Bryan, Liberty, McIntosh, Wayne, Glynn, Camden, Charlton, Ware, Pierce, Appling, Tatnall, Bullock, Colquitt, Effingham, Scriven, Emanuel, Montgomery, Telfair, Coffee, Clinch, Echols, Lowndes, Berrian, Irwin, Laurens, Johnson, Brooks, and Thomas.

The Second District shall include the Counties of Decatur, Second.
Early, Miller, Baker, Mitchell, Worth, Dooly, Wilcox, Pulaski, Chattahoochee, Macon, Marion, Sumter, Webster, Stewart, Quitman, Clay, Calhoun, Randolph, Terrell, Lee, and Dougherty.

The Third District shall include the Counties of Muscogee, Third.
Schley, Taylor, Talbot, Harris, Troup, Merriwether, Heard, Coweta, Fayette, Clayton, Carroll, Campbell, Houston, and Crawford.

The Fourth District shall include the Counties of Upson, Fourth.
Pike, Spaulding, Henry, Newton, Butts, Monroe, Bibb, Twiggs, Wilkinson, Baldwin, Jones, Jasper, and Putnam.

The Fifth District shall include the Counties of Washington, Fifth.
Jefferson, Burke, Richmond, Glasscock, Hancock, Warren, Columbia, Lincoln, Wilkes, Taliaferro, Greene, Morgan, Oglethorpe, and Elbert.

The Sixth District shall include the Counties of Milton, Gwinnett, Sixth.
Walton, Clarke, Jackson, Madison, Hart, Franklin, Banks, Hall, Forsyth, Pickens, Dawson, Lumpkin, White, Habersham, Rabun, Towns, Union, Fannin, and Gilmer.

The Seventh District shall include the Counties of DeKalb, Seventh.
Fulton, Cobb, Polk, Floyd, Bartow, Cherokee, Gordon, Chattooga, Walker, Whitfield, Murray, Catoosa, Dade, Haralson, and Paulding.

Adopted March 6, 1868.

AN ORDINANCE TO GRANT TEMPORARY RELIEF TO THE PEOPLE OF GEORGIA.

WHEREAS, The question of affording some relief to the people of Georgia from the burden of indebtedness which is now oppressing them, is likely to be acted upon by this Convention at some future day; and, Preamble.

WHEREAS, Large amounts of property are now levied on and about to be sacrificed at sheriff's sale; and,

Temporary Relief—Convention Tax.

WHEREAS, The debtors, in such cases, should be entitled to the benefits which may be conferred on other debtors by the future action of this Convention; therefore,

All levies suspended.

Be it ordained by the people of Georgia, in Convention assembled, and it is hereby ordained by authority of the same, That from and after the passage of this ordinance, all levies which have been or may be made, under execution issued from any Court of this State, shall be suspended until this Convention shall have taken, or shall have refused to take, final action upon the matter of relief; and that all sales under execution in violation of this ordinance shall be null, void, and of no effect.

Adopted 12th December, 1867.

AN ORDINANCE

To levy and collect a tax to pay the Delegates and Officers connected with this Convention, as well as other incidental expenses.

A tax of 1-16 of one per cent.

Be it ordained by the people of Georgia, in Convention assembled, That it shall be the duty of the Comptroller General of the State of Georgia to levy and collect a tax of one-sixteenth of one per cent, on all the taxable property of this State, as returned upon the digests for the year 1867, in addition to the State tax; and the Comptroller General shall direct and require the Tax Collectors in the several Counties in this State to collect the tax so assessed, or so much thereof as will defray the expenses of this Convention, and pay the same into the Treasury of the State of Georgia on or before the 1st of November, 1868.

How assessed and collected.

\$40,000.

Be it further ordained, That the Treasurer of this State is hereby authorized and directed to advance to the disbursing officer of this Convention, out of the Treasury of this State, forty thousand dollars, to defray the expenses of this Convention, and the pay and mileage of its members and officers, up to the 23d day of December, 1867.

N. L. Angier Disbursing Officer.

Be it further ordained, That N. L. Angier is hereby appointed the disbursing officer of this Convention, and is authorized to receive and receipt for the sum aforesaid from the Treasurer, and to pay out the same, on warrant of the President of this Convention, on the report of the Auditing Committee. The amount, so advanced by the Treasurer, shall be replaced from the tax ordered by this Convention to be assessed and collected for the expenses, pay, and mileage of the members and officers thereof.

Commission of T. C's.

Be it further ordained, That the several Tax Collectors shall

Convention Tax.

receive the same per cent. for collecting the same as they are now allowed by law for collecting the State Tax.

Adopted 20th December, 1867.

AN ORDINANCE

To Provide the Means of Defraying the Expenses of this Convention, and the Compensation of Officers and Members.

SECTION 1. *Be it ordained by the people of Georgia, in Convention assembled,* That an ordinance of this Convention, passed on the 20th day of December, 1867, entitled "An Ordinance to levy and collect a tax to pay the delegates and officers connected with the Convention, as well as other incidental expenses," except the second section thereof, is hereby rescinded, and the following is ordained in lieu thereof, to wit: Repeal.

That it shall be the duty of the Comptroller General of the State of Georgia to levy and assess a tax of one-tenth of one per cent. on all taxable property of this State as returned upon the digests for the year 1867, for the purpose of defraying the expenses of this Convention and the compensation of officers and members thereof.

And it shall be the duty of the Tax Collectors, in the several Counties of this State, to collect the tax so assessed, and to pay the same to the Comptroller General, on or before the first day of May, 1868. And it shall be the duty of the several Tax Collectors to issue executions against all persons subject to taxation under this ordinance whose tax is unpaid after twenty days' notice to pay it, for the amount of tax due by them, and fifty per centum thereon and all costs; and of Sheriffs and Constables to levy and sell, under such executions, and to return the proceeds to the Tax Collectors, as soon as the same can be done under the provisions of existing laws. Tax—how collected and returned.

SEC. 2. *Be it further ordained,* That any scrip which may be issued by the authority of this Convention, for the purpose aforesaid, shall be receivable by the Comptroller General from the Tax Collectors in payment of the tax aforesaid. Scrip.

SEC. 3. *Be it further ordained,* That the Tax Collectors shall receive the same per cent. for collecting the tax aforesaid, as they are now allowed by law for collecting the State tax. Commission of T. C.

SEC. 4. *Be it further ordained,* That the Comptroller General shall issue to the Tax Collectors all necessary orders for the collection and payment of the tax aforesaid, which orders shall be binding upon said Collectors. Comptroller General.

SEC. 5. *Be it further ordained.* That the moneys and scrip received by the Comptroller General under this ordinance, be paid by him into the Treasury of this State, to be disposed of as this Convention shall hereafter direct. Treasury.

Adopted February 8, 1868.

Resolutions.

RESOLUTIONS.

No. 1.

A RESOLUTION

Appointing a Committee of seven to notify General Pope of the Organization of the Convention, and to invite his attendance.

Notification to General Pope.

Resolved, That a Committee of seven be appointed by the Chair to wait on General Pope, commanding the Third Military District, and inform him that, in obedience to General Order No. 89, this Convention is now assembled and organized, and to invite his presence in the Convention at his pleasure.

Adopted December 10, 1867.

No. 2.

Authentication of ordinances, &c.

Resolved, That all Ordinances and Resolutions of this Convention shall be signed by the President and attested by the Secretary, which shall be sufficient authentication of the same.

Adopted December 12, 1867.

No. 3.

PREAMBLE AND RESOLUTION

For the Appointment of a Committee to Report upon the Powers of the Convention

Preamble.

WHEREAS, Doubts have been expressed whether this Convention is authorized to transact any other business than to frame a Constitution and Civil Government for the State of Georgia, and such Ordinances as are necessary for the proper performance of that duty; and

WHEREAS, The true powers of the Convention, on the matter indicated, ought to be distinctly defined; therefore,

Powers of the Convention.—Reports of Committees.

Resolved, That the President appoint a Committee of ten, Committee. who shall consider and report upon the question as soon as practicable.

Adopted December 16, 1867.

No. 4.

REPORT OF THE COMMITTEE RELATIVE TO THE
POWERS OF THE CONVENTION.

Resolved, That all ordinances, or other matter of a legisla- Legislative
tive character, already introduced and pending, are hereby in- matter.
definitely postponed, and in future no ordinance, or other mat-
ter of said character, not necessarily connected with the funda- Relief.
mental law, shall be entertained by the Convention; *Provided*,
That the foregoing shall not apply to matter touching the gen-
eral relief of the people of the State.

Agreed to 17th December, 1867.

No. 5.

REPORT OF THE COMMITTEE ON PRIVILEGES AND
ELECTIONS.

Resolved, That the proclamation of General Pope is conclu- Who are Dele-
sive in all cases as to the votes, list of voters, election returns gates.
and persons elected.

Agreed to 9th January, 1868.

No. 6.

REPORT OF THE COMMITTEE ON FINANCE.

Your Committee beg leave to report, that, pretermittin^g any Provisional
opinion as to the validity of the Constitution of 1865, or the Government.
acts of the General Assembly, that existed under, and by vir-
tue of its authority, we beg leave to recommend the adoption
of the following resolution:

Resolved, That in the opinion of the Convention it is unwise State debt.
and inexpedient to, directly or indirectly, interfere with the legis-
lation of the General Assembly, authorizing the issue of bonds
for the purpose of paying the indebtedness of the State.

Agreed to January 14, 1868.

 Reports of Committees.—Per Diem of Delegates.—Convention Tax.

No. 7.

REPORT OF THE COMMITTEE ON RELIEF.

Collection of
Taxes—its sus-
pension.

The Committee on Relief, to whom were referred sundry ordinances, relating to an extension of the time to tax-payers and tax collectors, having had the subject under consideration, respectfully report: That, while they regret the circumstances which cause all public burdens to be severely felt by our people, they are obliged to recognize the necessity of supporting our civil government, and of promptly paying the interest of the public debt. They are assured that the people of Georgia are resolved to maintain the credit of the State, at every inconvenience to themselves. Under present laws, the Governor has a discretion, to suspend the collection of taxes, for a limited time; and the committee desire that this discretion be now exercised so as to accommodate the tax-payer, if it can be done without injury to public interest. They recommend the passing of the following resolution:

Recommendation
to Governor.

Resolved, That the Convention request the Governor to exercise the power given him by existing laws, to suspend the collection of taxes, if in his judgment the same can be done without injuring the credit of the State.

Agreed to December 19, 1867.

 No. 8.

A RESOLUTION

Fixing the per diem and mileage of Delegates and Officers of this Convention.

Per diem.

Resolved, That the per diem and mileage of Delegates and Officers of this Convention be the same as paid to the Delegates and Officers of the last General Assembly of this State.

Adopted December 19, 1867.

 A RESOLUTION

Requesting Major General Meade to enforce an Ordinance of this Convention, entitled, "An Ordinance to provide the means of defraying the expenses of this Convention," &c.

Military orders
for collection
of Taxes.

Resolved, That the General commanding the Third Military District be requested to enforce an ordinance of this Conven-

Convention Tax.—Imprisonment for Debt.

tion, passed this day, entitled "An Ordinance to provide the means of defraying the expenses of this Convention, and the compensation of officers and members."

Resolved, That copies of said Ordinance and of these Resolutions be transmitted by the President to Major General Meade, to the Provisional Governor and Comptroller General of this State.

Adopted February 8, 1868.

No. 10.

A RESOLUTION PROVIDING FOR THE ISSUE OF WARRANTS IN LIEU OF SCRIP.

Resolved, That the Auditing Committee be, and is hereby, instructed to issue warrants in lieu of the scrip, in accordance with Section II, of "An Ordinance to provide the means of defraying the expenses of this Convention, and the compensation of officers and members," adopted February 8, 1868; said warrants being duly countersigned by the Disbursing Agent of this Convention, and by the Comptroller General of the State. ^{Warrants and scrip.} ^{By whom signed.}

Adopted March 3, 1868.

No. 11.

PREAMBLE AND RESOLUTIONS IN REGARD TO IMPRISONMENT FOR DEBT.

WHEREAS, This Convention has determined that there shall be no imprisonment for debt in this State; and, whereas, creditors are oppressive debtors, by the use of what is known as "Bail Process," and writ of *ca. sa.*; therefore, ^{Preamble.}

Resolved, That in the opinion of this Convention said proceedings are contrary to the wish of the people of this State.

Resolved, That the General commanding this District is hereby requested to protect, by order, the people of this State from the evil above set forth, and that such order remain in force, until such time as the people have expressed their will in regard to the Constitution. ^{Military orders to prevent imprisonment for debt.}

Resolved, That a copy of this preamble and these resolutions be transmitted to the Commanding General by the President of this Convention.

Adopted February 19, 1868.

Relief.—The State Government.

No. 12.

A RESOLUTION .

Requesting General Meade to enforce certain provisions of the Constitution, which provide for the relief of the people.

Military orders
to enforce re-
lief measures.

Resolved, That the Commanding General of the Third Military District be requested, by general order, to require the Courts and officers of the Provisional Government of the State of Georgia, until the State is fully restored to its regular relations to the United States, and the State organization is in full operation, to enforce and carry out the provisions of this Constitution for the relief of the people, to wit :

Section XVIII, of the Bill of Rights, abolishing imprisonment for debt

Section XVII, of Article V, in relation to the jurisdiction of the Courts.

Article VII, in relation to homesteads and exemptions.

And the Secretary of this Convention is instructed to furnish the Commanding General a certified copy of the said provisions of the Constitution, and this resolution

Adopted March 11, 1868.

No. 13

PREAMBLE AND RESOLUTION.

In reference to the Reorganization of the State Government, the Removal of Political Disabilities, and the Modification of the "Test Oath."

Preamble

WHEREAS, The Reconstruction Acts recognize the existence of a Government within the limits of Georgia, subject to the Military Commander of the District and a paramount authority of Congress, under which certain officials hold office; and whereas, the time for which said officials were elected, as set forth in the laws allowed to operate in said limits, has expired, and said officials hold only by reason of a failure to provide their successors; and whereas, a great many of said officials are hostile to, and are insidiously using their influence against, the restoration of Georgia to the Union, and by so doing are not only seriously retarding the work of Reconstruction, but also materially affecting the prosperity of the State; therefore,

Petition to
Congress to
authorize re-
moval of Gov-
ernor.

Resolved, That the Convention do hereby request the Legislative Department of the Government of the United States, to authorize this body to declare vacant the Chief Executive office

The State Government.—Political Disabilities.

of the State, and to fill the same, as well as to provide for the removal, through the Chief Executive officer of the State thus selected, of all persons who are hostile to Reconstruction, and the filling of such vacancies by said Executive.

Resolved, That the Convention, in justice to the friends of Reconstruction under the Reconstruction Acts, do hereby request the Department aforesaid, to relieve all such of existing disabilities, that they may be eligible to fill the vacancies thus created. To relieve of political disabilities.

Resolved, That the Convention do further request the modification of the "Test Oath," so as to admit of all persons who have aided or abetted the late war against the United States holding office therein, providing such persons heartily regret the past, and are earnestly attached to, and are determined to labor for, the reunion of the States on the basis of the Reconstruction Acts. And to modify the Test Oath.

Resolved, That a copy of the foregoing Preamble and Resolutions be forwarded by the President of the Convention to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives.

Adopted January 21, 1868.

No. 14.

A RESOLUTION

Appointing a Committee to Petition for the Relief of certain Persons in this State from Political Disabilities.

Resolved, That the Hon. C. H. Hopkins, of Chatham, in the First Congressional District, Hon H. K. McCay, of Sumter, in the Second Congressional District, Hon. G. W. Ashburn, of Muscogee, in the Third Congressional District, Hon T. J. Speer, of Pike, in the Fourth Congressional District, Hon. B. Conley, of Richmond, in the Fifth Congressional District, Hon. Madison Bell, of Banks, in the Sixth Congressional District, and Hon. J. L. Dunning, of Fulton, in the Seventh Congressional District, are hereby constituted a committee of seven, to prepare and submit to this Convention a list of names of such persons, in the State of Georgia, as are now laboring under any political disability, imposed by acts of Congress, who have aided and assisted in carrying out the laws of Congress, for a reconstruction of the Government by restoration of this State to the Union, and who thereby, in the opinion of this Convention, are worthy of the clemency of Congress; and that on the adoption of said list, it be forwarded to the Speaker of the House of Representatives, and President of the Senate, with a recommendation that the said persons be restored to all the rights and privileges of citizens of the United States. Members of a Committee

To report names of certain persons for Congressional clemency.

Tax on Cotton.—Petitions to Congress.

Sub-Committee.

Resolved, That a Sub-Committee, consisting of the Chairman of each delegation to this Convention, be constituted a Sub-Committee, with a request that they furnish the original Committee with names of such persons in their several Districts as may be worthy of the clemency asked for.

Adopted, January 9, 1868.

No. 15.

A PREAMBLE AND RESOLUTION RELATIVE TO THE TAX ON COTTON.

Preamble.

WHEREAS, The successful culture of Cotton in Georgia is essential to the prosperity of the people, and the full development of the material interest of the State; and whereas, the encouragement given to its production abroad, during the war, has largely increased that production, which has, in connection with other causes, so reduced its value as to seriously endanger its continued cultivation as a leading staple by our people; therefore,

Resolved, That this Convention do recommend the repeal of the cotton tax, and, if practicable, the application of the repeal to the present crop.

Repeal of tax on cotton.

Resolved, That this Convention consider its repeal as essential to the continued successful cultivation of cotton as the great staple of the country, and as a measure of relief to both agricultural capital and labor.

Resolved, That the Convention having confidence in the earnest desire of the Government of the United States to aid in restoring the prosperity of the people of Georgia, and the development of all her material interests, do hereby request the President of this Convention to forward a certified copy of these resolutions to the President of the United States, to the President of the Senate, and to the Speaker of the House of Representatives, with a request that they be presented, at an early day, to both Houses of Congress.

Adopted December 13, 1867.

No. 16.

A RESOLUTION

Asking the Proper Authorities of the United States to furnish to the People of North-East Georgia Mail Facilities.

Preamble.

WHEREAS, The people of the North-Eastern portion of the State are almost entirely deprived of mail facilities, and especially of any means of direct communication with Atlanta, one of the principal commercial cities of the State;

Petitions to Congress.

Resolved, That this Convention do recommend the re-establishment of the tri-weekly mail route and line of hacks from Gainesville to Anderson C. H., South Carolina, by way of Homer, Carnesville and Hartwell. Mail route from Gainesville to Anderson C. H.

Resolved, That the Secretary immediately forward to the proper authority a copy of the above Resolution, with request that the route be immediately established.

Adopted January 22, 1868.

No. 17.

A RESOLUTION

Asking Aid of Congress for the Air-Line Railroad.

WHEREAS, The Air-Line Railroad from Atlanta, Georgia, to Charlotte, North Carolina, that is now proposed to be constructed, being a link of the Great Southern Pacific Railroad between the Eastern States and the Pacific Coast; therefore, Air-Line Railroad.

Resolved, That this Convention do most earnestly request the Congress of the United States to make a liberal appropriation for the building of such road. Congressional aid.

Resolved, That the President of this Convention be requested to forward copies of the foregoing Preamble and Resolution to the President of the Senate and the Speaker of the House of Representatives, with the request that they be laid before their bodies.

Adopted February 29, 1868.

No. 18.

PREAMBLE AND RESOLUTION

Asking a Loan of One Hundred Thousand Dollars from the United States Treasury, to the South Georgia and Florida Railroad.

WHEREAS, The people of Southwestern Georgia are deprived of direct Railroad communication with the Central and Northern parts of the State; Preamble.

AND WHEREAS, Such communication will tend to unite the people of the State, and to open a convenient and ready access to the ports on the Gulf of Mexico, and in that view is an object of material interest;

AND WHEREAS, The completion of the South Georgia and Florida Railroad would establish such communication, and this

Petitions to Congress.

work is delayed on account of the pecuniary distress of the country;

AND WHEREAS, It would be eminently wise and liberal in the Government of the United States to aid the impoverished people of the South in restoring their material prosperity;

AND WHEREAS, This Convention has information that the sum of one hundred thousand dollars, in addition to the resources now at hand, will suffice for the completion of said Railroad, between Albany and Thomasville; therefore,

\$100,000 from
U. S. Treasury
to South Georgia & Florida
Railroad.

Be it Resolved, That the Congress of the United States be respectfully requested to authorize a loan from the Treasury of the United States, of the sum of one hundred thousand dollars, to the South Georgia and Florida Railroad Company, on such terms as will be reasonable to the Company and safe for the Government.

Resolved, That a copy of the foregoing preamble and resolution be transmitted to the President of the Senate and Speaker of the House of Representatives of the United States, with a request that they be laid before their respective bodies.

Adopted March 6, 1868.

No. 19.

PREAMBLE AND RESOLUTION

Asking in Behalf of Southern Planters a Loan of Thirty Millions of Dollars from the United States Government.

Preamble.

The Constitutional Convention of the State of Georgia presents to the Congress of the United States the following considerations:

A loan by the United States Government to the impoverished planters of the South, of a reasonable amount of United States Currency for agricultural purposes, properly guarded by mortgages, and equitably distributed among the most needy, would be of incalculable advantage to the whole country.

Such a loan would restore the productions of the South, and give a market for the goods of the North and produce of the West.

It would at once energize the South in an honorable attempt to compete with England—our rival in cotton raising—and return with interest a full payment for all her zeal in fostering our late troubles, in order that she might establish her selfish policy of producing cotton in the East to the injury of our cotton States, and thereby take commanding control of what has been the great source of our commercial prosperity as a people. Mortgages on real estate can be taken of twice the value of the money loaned.

No man need borrow more than two-thirds of what he can

Petitions to Congress.

give good assurances will be the value of his coming crop.

The people of the South need relief. Almost destroyed by the great conflict just over, Providence, so far, has not smiled upon the Southern planter.

In 1866 there was a short crop, from drought and other causes. In 1867 planters planted, hoping to realize from twenty-five to thirty cents per pounds on cotton. By the decline in market, cotton planters have failed to realize the cost of production, and are, to an alarming extent, now comparatively helpless for the coming crop. In proportion as the cotton planter is unable to plant for a large amount of cotton, will the freedmen necessarily suffer. The extent of suffering among the freedmen, unless Southern planters are fostered by the Government, will be appalling to the Christian heart. The "nation's wards" cannot be better cared for than by thus providing for them remunerative labor upon that staple, with the production of which they are familiar, and which yields to them the greatest reward for that service which they are best fitted, by raising, to perform.

A liberal law by Congress, as indicated, would do much to stimulate National fraternity.

In view of the foregoing, be it, therefore,

Resolved, That the Congress of the United States be respectfully petitioned to appropriate thirty millions of United States currency to be loaned, under proper regulations, to aid in developing the agricultural interests of needy Southern planters.

Resolved, That copies of the foregoing preamble and resolution be transmitted to the President of the Senate and Speaker of the House of Representatives of the United States, with the request that they be laid before those bodies, and that copies be also transmitted to the Presidents of the Constitutional Conventions in the Southern States; and that we invite the cooperation of such Conventions in this application to Congress.

\$30,000,000 asked for from Congress.

No. 20.

A RESOLUTION

Relative to the Suit in the Supreme Court of the United States by the State of Georgia.

Whereas, Some unauthorized person has undertaken to institute proceedings in the Supreme Court of the United States, in the name of the State of Georgia vs. Generals Grant, Meade, and others; therefore,

Resolved by this Convention, representing the people and sovereignty of Georgia, That no person has been empowered by the State of Georgia to commence or prosecute such suit;

Gov. Jenkins.

Personal and Complimentary.

Sovereignty of
Georgia will
not litigate.

The Seal of
State.

and that the people of Georgia, as plaintiffs, will not litigate said suit, and demand that it be dismissed from said Court.

Be it further resolved, That a copy of this resolution be forwarded by the President to the Military Governor of this State, with request to have the seal of the State affixed thereto, and then forwarded to the Secretary of War.

Adopted 14th February, 1868.

No. 21.

Secretary and
his Assistant.

Resolved, That the unanimous thanks of this body are hereby tendered to Hon. P. M. Shiebley, Secretary, and A. E. Marshall, Assistant Secretary, of this Convention, for efficient services and their uniform courtesy, not only to the Convention, as such, but to the individual members composing it.

Adopted March 11, 1868.

No. 22.

Journalizing
Clerk.

Resolved, That the thanks of this Convention are due, and are hereby tendered, Jackson T. Taylor, the able Journalizing Clerk of this Convention, for the very efficient manner in which he has discharged the laborious duties of his station

Adopted March 11, 1868.

No. 23.

President.

Resolved, That the thanks of this Convention are hereby tendered to the President, for the able and impartial manner in which he has discharged the arduous and difficult duties of his office.

Adopted March 11, 1868.

No. 24.

A RESOLUTION

Appointing a Committee to recommend to the consideration of Congress Certain Measures of this Convention

Foster Blodgett and J. R. Parrott.

Resolved, That the Hons. Foster Blodgett and J. R. Parrott be, and they are hereby, constituted a Committee to visit

Ordinances of 1865.

Washington and present the list of names recommended for relief from disabilities, as well as to commend to the favorable consideration of Congress our measures of relief; and the sum of \$300 for each be appropriated to defray their expenses.

Adopted March 11, 1868.

AN ORDINANCE TO CONFIRM AND READOPT CERTAIN ORDINANCES.

(Accidentally omitted in compilation of Ordinances.)

Be it ordained by the people of Georgia, in Convention assembled, That the following Ordinances, adopted by the Convention of 1865, are hereby expressly, and in their terms, confirmed and readopted, to wit:

“An Ordinance to repeal certain Ordinances and Resolutions therein mentioned, heretofore passed by the people of Georgia in Convention:

We, the people of the State of Georgia, at our Seat of Government, do declare and ordain, That an Ordinance, adopted by the same people in Convention on the nineteenth day of January, A. D. eighteen hundred and sixty-one, entitled, ‘An Ordinance to dissolve the union between the State of Georgia and other States, united with her under a compact of government—the Constitution of the United States.’” Also, an Ordinance, adopted by the same on the sixteenth day of March, in the year last aforesaid, entitled, “An Ordinance to adopt and ratify the Constitution of the Confederate States of America;” and, also, all Ordinances and Resolutions of the same; adopted between the sixteenth day of January and the twenty-fourth day of March, in the year aforesaid, subversive of, or antagonistic to, the civil and military authority of the Government of the United States of America, under the Constitution thereof, be, and the same are hereby, repealed.”

Ordinance of 1861 dissolving Union repealed.

Ordinance ratifying Confederate Constitution repealed.

“An Ordinance to declare null and void all laws of the State of Georgia, by which money has been raised for the purpose of carrying on, and sustaining, the late war against the United States, and all notes, bonds, and contracts founded on the same.

“Be it ordained by the people of Georgia, in Convention assembled, That all laws that have hitherto passed for the purpose of raising money to sustain and carry on the late war against the United States, are null and void, and that no Legislature, hereinafter to be assembled, shall levy any tax, or make any appropriation directly, or indirectly, to pay any note, bill, bond, or contract founded on the same.”

Confederate debt.

Convention to Re-assemble.

But this special adoption of the Ordinances herein quoted, shall not be construed to affirm any other of a purely legislative character, passed by said Convention, but such acts shall have force as laws in accordance with the provisions of the several confirming acts, adopted by this Convention and this Constitution.

Adopted March 11, 1868.

AN ORDINANCE

To provide for the Reassembling of this Convention if Necessary.

Be it ordained, That, should it be necessary for this Convention, after its adjournment, to reassemble to complete the reconstruction of the State, it shall do so at the call of the President of the same; and in default of the President, then of the President *pro tempore*, Hon. James L. Dunning,, and in default of both, then by the General Commanding the Third Military District. And should no such call be made in twelve months from this date, then this Convention shall stand adjourned *sine die*.

Adopted March 11, 1868.

MILITARY ORDERS.

HEADQUARTERS THIRD MILITARY DISTRICT,)
 (Department of Georgia, Florida, and Alabama,))
 Atlanta, Georgia, January 16, 1867. }

GENERAL ORDERS NO. 11.

I. WHEREAS, The Constitutional Convention of the State of Georgia, now in session in this city, adopted on the 12th day of December, 1868, the following preamble and ordinance:

[See page 29.]

II. Therefore, by virtue of the plenary powers vested by the Reconstruction Acts of Congress in the Commanding General of the Third Military District, and for the temporary relief of the people of Georgia,

It is Ordered, That said ordinance shall, from this date, be deemed to have taken effect in said State, and shall continue in full force and validity until said Convention shall have taken, or refuse to take, final action upon the matter of relief, or until further orders from these Headquarters: *Provided*, That this order shall not apply to executions issued or to be issued on judgments in favor of laborers or mechanics for services rendered since July 21st, 1865, nor to executions for the collection of taxes.

By order of Major General Mead.

R. C. DRUM.
 Assistant Adjutant General.

HEADQUARTERS THIRD MILITARY DISTRICT,)
 (Department of Georgia, Florida, and Alabama,))
 Atlanta, Georgia, February 14, 1868. }

GENERAL ORDERS NO. 24.

I. WHEREAS, The Constitutional Convention of Georgia, now in session in Atlanta, on the 8th day of February, 1868, enacted the following ordinance:

[See page 31.]

II. Therefore, by virtue of the plenary powers vested by the acts of Congress in the Commanding General of the Third Military District,

It is ordered, That all of said Ordinance, except what is contained in Section 2 and 5, is approved, and directed to be carried into execution; and it is hereby enjoined on the Provisional Governor, Comptroller General, and Secretary of State. Tax Collectors, Sheriffs, and all others, to give due and prompt respect to the requirement of this order, and to the collection of the special tax provided for in the aforesaid Ordinance.

II. In lieu of Sections 2 and 5, of the aforesaid Ordinance, the Provisional Governor of the State is herewith authorized to issue in advance of the collection of the special tax, scrip in such sums as may be deemed the most convenient, and not to exceed in amount fifty thousand dollars.

III. The scrip herein authorized to be issued, shall be made receivable

Convention Tax.—Relief.—Convention Warrants.

in payment of the special tax; shall be paid out of the Treasury only for the pay and expenses of the Convention, and so much as shall not be received in payment of the special tax, shall be redeemed out of the proceeds of said special tax when collected.

By order of Major General Meade.

R. C. DRUM,
Assistant Adjutant General.

HEADQUARTERS THIRD MILITARY DISTRICT, }
(*Department of Georgia, Florida, and Alabama,*) }
Atlanta, Georgia, February 22, 1868. }

GENERAL ORDERS No. 27.

I. The Constitutional Convention of the State of Georgia, now in session in the city of Atlanta, adopted on the 19th day of February, 1868, the following preamble and resolutions:

[See page 35.]

II. Therefore, by virtue of the plenary powers vested by the Reconstruction Acts of Congress, in the Commanding General of the Third Military District, and for the purpose of giving effect to the wishes of the people of Georgia, as expressed by their delegates in Convention,

It is ordered, That imprisonment for debt is prohibited in the State of Georgia, and hereafter no bail process in civil cases or writ of *ca. sa.* shall be issued out of any of the Courts of this State.

III. Every person now in prison in this State under any such process or writ, will be immediately discharged from prison.

IV. This order to remain in force until the people of Georgia shall express their will, in the manner provided by the Acts of Congress in regard to the Constitution to be submitted to them by the said Constitutional Convention, or until further orders from these Headquarters.

By order of Major General Meade.

R. C. RRUM,
Assistant Adjutant General.

HEADQUARTERS THIRD MILITARY DISTRICT, }
(*Department of Georgia, Florida, and Alabama,*) }
Atlanta, Georgia, March 9, 1868. }

GENERAL ORDERS No. 35.

To insure the collection of the special tax provided for in an Ordinance of the Constitutional Convention of the State of Georgia, passed on the 8th day of February, 1868, within the time specified, it is hereby required and directed that all owners of property, or their agents shall, between the 20th of April and the 1st of May, 1868, pay to the Tax Collector, at such points in the county in which the property is located as the Collector may designate, the tax due on the property owned or represented by them. All property on which the aforesaid tax remains unpaid at the latter date, (May 1, 1868,) will be levied on by the Tax Collectors, in accordance with the provisions of the Ordinance.

Election on Ratification.

Collectors of Taxes will, without delay, designate the points in their respective counties at which they will meet the tax-payers, specifying the date at which they will be at each place.

By order of Major General Meade.

R. C. DRUM,
Assistant Adjutant General.

HEADQUARTERS THIRD MILITARY DISTRICT,)
(*Department of Georgia, Florida and Alabama,*)
Atlanta, Georgia, March 12, 1868.)

GENERAL ORDERS No. 37.

Whereas, A duly certified copy of the following resolution and sections of the Constitution of the State of Georgia, as adopted by the Constitutional Convention of said State, at Atlanta, March 11, 1868, has this day been delivered to the Commanding General:

[See Page 36.]

II. Therefore, By virtue of the plenary powers vested by the Reconstruction Acts of Congress in the Commanding General of the Third Military District, and for the purpose of giving temporary effect to the wishes of the people of Georgia, as expressed by their delegates in Convention,

It is ordered, That the foregoing sections of said Constitution, shall, from this date, be deemed to have taken effect, and to be in full force in the State of Georgia, and shall continue in full force and validity until further orders from these Headquarters.

III. The Courts and Officers of the Provisional Government of said State, and all the municipal and other officers in the same, are hereby required to enforce and carry out the above provisions for the relief of the people of the State of Georgia.

IV. General Orders No. 11, issued from these Headquarters, January 16th, 1868, are hereby rescinded, as are also General Orders No. 21, issued February 1, 1868, so far as the same relate to said General Orders No. 11.

By order of Major General Meade.

R. C. DRUM,
Assistant Adjutant General.

HEADQUARTERS THIRD MILITARY DISTRICT,)
(*Department of Georgia, Florida and Alabama,*)
Atlanta, Georgia, March 13, 1868.)

GENERAL ORDERS No. 38.

I. Whereas, The Constitutional Convention of the State of Georgia, on the 3d day of March, 1868, adopted the following resolution:

[See page 35.]

II. Therefore, it is ordered, that paragraphs 2 and 3, of General Orders No. 24, current series, authorizing the issue of scrip, and making the same receivable in payment of the special tax, is hereby rescinded and revoked.

III. In conformity with the wishes of the Convention, the Provisional Comptroller General of the State is authorized and directed to countersign the warrants issued in accordance with the above resolution, and the Pro-

Election on Ratification.

visional Governor and Treasurer are ordered to pay the same out of the proceeds of the special tax levied by the Convention, after the Treasury has been reimbursed of the advances made to the Convention, or of such portion of such advances as may, in the judgment of the Provisional Governor, be necessary to meet the immediate wants of the State; and said warrants are not to be received by Tax Collectors, nor will they be received at the Treasury in lieu of money collected for taxes.

By order of Major General Meade.

R. C. DRUM,
Assistant Adjutant General.

HEADQUARTERS THIRD MILITARY DISTRICT,)
(*Department of Georgia, Florida and Alabama,*))
Atlanta, Georgia, March 14, 1868.)

GENERAL ORDERS No. 39.

I. WHEREAS, The Constitutional Convention of the State of Georgia, which assembled in Atlanta, in compliance with General Orders No. 89, issued from these Headquarters, November 19, 1867, did, in pursuance of the acts of Congress specified in said General Orders, proceeded to frame a Constitution and civil government for the State of Georgia, and provide for the publication of said Constitution; and did further, by an ordinance of said Convention adopted March 11th, 1868, submit for ratification to the persons in said State registered and to be registered as voters under the acts of Congress aforesaid, at an election to begin on the 20th day of April, 1868, and to be kept open, from day to day, at the discretion of the General Commanding, at such places as may be designated by him.

II. AND WHEREAS, By an act of Congress which became a law March 12th, 1868, it is provided that, hereafter, any election, authorized by the acts of Congress aforesaid, shall be decided by a majority of the votes actually cast; and at the election, in which the question of the adoption or rejection of any Constitution is submitted, any person duly registered in the State may vote in the election district where he offers to vote when he has resided therein for ten days next preceding such election upon presentation of his certificate of registration, his affidavit or other satisfactory evidence of registration, under such regulations as the District Commander may prescribe.

III. AND WHEREAS, Said acts of Congress provide that the election for ratification of said Constitution shall be conducted by the officers or persons appointed, or to be appointed, by the Commanding General, and at the date fixed by said Convention;

IV. *It is ordered*, That an election be held in the State of Georgia, commencing on Monday, the 20th day of April, 1868, and continuing four days, at which the registered voters of said State may vote for or against the Constitution submitted to them by the ordinance aforesaid. Those voting in favor of the Constitution shall have written or printed on their ballots the words "For the Constitution," and those voting against the Constitution shall have written or printed on their ballots the words "Against the Constitution."

V. It shall be the duty of the Boards of Registration in Georgia, in accordance with said acts, commencing fourteen days prior to the election

Election on Ratification.

herein ordered, and giving reasonable public notice of the time and place thereof, to revise, for a period of five days, the registration lists, and upon being satisfied that any person not entitled thereto has been registered, to strike the name of such person from the list, and such person shall not be allowed to vote. And such Boards shall also, during the same period, add to such registry the names of all persons who, at that time, possess the qualifications required by said acts, who have not been already registered.

In deciding who are to be stricken from or added to the Registration lists, the Boards will be guided by the acts of Congress relating to Reconstruction, and their attention is especially called to the Supplementary Act which became a law July 19, 1867.

VI. Said election shall be held in each County in the State under the superintendence of the Boards of Registration, as provided by law, and polls will be opened, after due and sufficient notice, at as many points in each County, not exceeding three, as, in the opinion of said Boards, may be required for the convenience of voters. And in any city, or other place, where there is a large number of voters, it is hereby made the duty of said Boards to open as many polls as may be necessary to enable the voters to cast their votes without unreasonable delay.

VII. Any person duly registered in the State as a voter may vote in any county in the State where he offers to vote, when he has resided therein for ten days next preceding the election. When he offers to vote in the county where he was registered, and his name appears on the list of registered voters, he shall not be subject to question or challenge, except for the purpose of identification, or as to residence. And any person so registered, who may have removed from the county in which he was registered, shall be permitted to vote in any county in the State to which he has removed, when he has resided therein for ten days next preceding the election, upon presentation of his certificate of registration, or upon making affidavit before a member of the Board of Registration, or a judge or manager of the election, that he is registered as a voter, naming the county in which he is so registered; that he has resided in the county where he offers to vote for ten days next preceding the election, and that he has not voted at this election. Blanks for such affidavits will be supplied by the Boards of Registration, and the name of the voter making oath must be endorsed on his ballot, and all such affidavits must be forwarded with the returns of the election.

VIII. The polls shall be opened at each voting place, during the days of election, at 7 o'clock A. M., and close at 6 o'clock P. M., and shall be kept open, between those hours, without intermission or adjournment.

IX. All public bar rooms, saloons, and other places for the sale of liquor at retail, at the several county seats, and at other polling places, shall be closed from 6 o'clock of the evening preceding the election, until 6 o'clock of the morning after the last day of the election. Any person violating this order shall be subject to fine or imprisonment. Sheriffs and their Deputies and municipal officers will be held responsible for the strict enforcement of this prohibition by the arrest of all persons who may transgress the same.

X. The Sheriff of each county is hereby required to be present at the county seat, and appoint deputies to be present at each polling place in his county, during the whole time that the polls are kept open, and until the

Election of Civil Officers.

election is completed, and is made responsible that no interference with the judges of election, or other interruption of good order shall occur. And any Sheriff, or Deputy Sheriff, or other civil officer failing to perform with energy and good faith the duty required of him by this order, will, upon report made by the judges of the election, be arrested and dealt with by military authority, and punished by fine or imprisonment.

XI. The Commanding Officer of the District of Georgia will issue, through the Superintendent of Registration for this State, such detailed instructions as may be necessary to the conduct of said election in conformity with the Acts of Congress.

XII. The returns required by law to be made of the results of said election to the Commanding General of this Military District will be rendered by the person appointed to superintend the same, through the Commanding Officer of the District of Georgia, and in accordance with the detailed instructions already referred to.

XIII. No person who is a candidate for office at said election, shall act as a registrar, judge, inspector, manager, clerk, or in any other official capacity connected with conducting the election.

XIV. Violence, or threats of violence, or any oppressive or fraudulent means employed to prevent every person from exercising the right of suffrage is positively prohibited, and every person guilty of using the same, shall, on conviction thereof before a military commission, be punished by fine or otherwise.

XV. No contract or agreement with laborers, made for the purpose of controlling their votes, or of restraining them from voting, will be permitted to be enforced against them in this District.

By order of Major General Meade.

R. C. DRUM,
Assistant Adjutant General.

HEADQUARTERS THIRD MILITARY DISTRICT, }
(*Department of Georgia, Florida, and Alabama.*) }
Atlanta, Georgia, March 15, 1868. }

GENERAL ORDERS No. 40.

I. WHEREAS, The Constitutional Convention of the State of Georgia, recently in session in this city, did, on the 10th day of March, 1868, adopt the following Ordinance, to wit:

[See page 23.]

II. AND WHEREAS, By an act of Congress, which became a law March 12, 1868, it is enacted that the Constitutional Convention of any of the States mentioned in the Reconstruction Acts may provide that, at the time of voting upon the ratification of the Constitution, the registered voters may vote also for members of the House of Representatives of the United States, and for all elective officers provided for by said Constitution.

III. *It is ordered*, That at the same time and places, at which it is ordered, by General Orders No. 39, dated March 14, 1868, that an election shall be held in the State of Georgia, upon the ratification of the Constitution submitted by said Convention; an election shall be held in said State for a Governor thereof, members of the General Assembly. Representatives

Election of Civil Officers.

to the Congress of the United States, and all other officers to be elected, as provided for in said Constitution.

IV. Said election shall be conducted by the same persons, in the same manner, and the returns thereof shall be made as is provided in said General Orders for conducting and making returns of the election on the ratification of the Constitution.

V. The regulations established by Congress for voting upon the ratification of the Constitution, and for voting at elections under the Provisional Government, shall apply to the election of the officers aforesaid, and all persons who, under the Acts of Congress, may be entitled to vote on said question of ratification, may vote at the election of said officers, and none others may vote at said election.

VI. No certificate of registration, affidavit, oath or other evidence of qualification to vote, shall be required at this election, than such as may be required according to the provisions of General Orders No. 39, at the election on the ratification of the Constitution.

By order of Major General Meade.

R. C. DRUM,
Assistant Adjutant General.

MEMBERS OF THE CONVENTION.

Name.	County.	Post office.	Nativity.	No. of years in Georgia.	Race.	Vote on the Constitution.
Jos. Adkins	Warren	Warrenton	Warren county..	53	.....	Yea
A. T. Akerman	Elbert	Elberton	New Hampshire..	24	.....	Yea
Robert Alexander	Clay	Fort Gaines	North Carolina..	2	Negro	Yea
Isaac H. Anderson	Houston	Fort Valley	Monroe county..	34	Negro	Yea
N. L. Angier	Fulton	Atlanta	New Hampshire..	28	.....	Yea
G. W. Ashburn	Museogee	Columbus	North Carolina..	50	.....	Yea
D. P. Baldwin	Taliaferro	Crawfordsville ..	Ohio	3	.....	Yea
James C. Barton	Clarke	Watkinsville .....	.....	.....	.....	.....
Peter B. Bedford	Ware	Wareboro	North Carolina..	.....	.....	Yea
J. R. Bell	Oglethorpe	Lexington	Virginia	58	Negro	Yea
Madison Bell	Banks	Hoier	Georgia	30	.....	Nay
Moses H. Bentley	Chataam	Savannah	Georgia	30	Negro	Yea
John S. Bigby	Coweta	Newnan	Georgia	35	.....	Nay
Simon W. Beaird	Richmond	Augusta	South Carolina..	5	Negro	Yea
Foster Blodgett	Richmond	Augusta	Georgia	42	.....	Yea
Joseph E. Blount	Stewart	Lumpkin	North Carolina..	15	.....	Yea
Alfred Bowden	Monroe	Forsyth	Georgia	48	.....	.....
John C. Bowden	Campbell	Powder Springs ..	Georgia	43	.....	Yea
W. F. Bowers	Hart	Bowersville	Georgia	42	.....	Yea
Jas. R. Bracewell	Gwinett	Stone Mountain ..	Georgia	42	.....	Yea
Aaron A. Bradley	Chatham	Savannah	South Carolina..	8	Negro	.....
Shadrick Brown	Henry	Bear Creek	Georgia	49	.....	Yea
John E. Bryant	Richmond	Augusta	Maine	3	.....	Yea
John Bryson	Towns	Mt. Eola	North Carolina..	33	.....	Yea
J. M. Buchan	Pulaski	Hawkinsville	Georgia	37	.....	.....
R. B. Bullock	Richmond	Augusta	New York	9	.....	Yea
George P. Burnett	Floyd	Rome	Tennessee	27	.....	Nay
John H. Caldwell	Troup	La Grange	South Carolina..	44	.....	Yea
A. J. Cameron	Telfair	Jacksonville	Georgia	39	.....	Nay
T. G. Campbell	McIntosh	Darien	New Jersey	3	Negro	Yea
W. C. Carson	Thomas	Boston	Maryland	2	.....	Yea
J. C. Casey	Marion	Buena Vista	Georgia	61	Negro	Yea
J. W. T. Catching	Greene	Greensboro	Georgia	42	.....	Yea
Peter H. Chambers	Merriwether	White Sulphur Springs	Georgia	49	.....	Yea
Geo. W. Chatters	Stewart	Florence	South Carolina..	6	Negro	Yea
Isaac W. Christian	Newton	Covington	Georgia	28	.....	Yea
H. H. Christian	Early	Blakeley	Georgia	44	.....	.....
Malcolm Claiborn	Burke	Waynesborough ..	South Carolina..	3	Negro	Yea
Walter L. Clift	Chatham	Savannah	Massachusetts ..	73	.....	Yea
Samuel A. Cobb	Houston	Perry	Georgia	32	Negro	Yea
E. S. Cobb	Mudison	Athens	Kentucky	10	.....	.....
Henry G. Cole	Cobb	Marietta	New York	31	.....	.....
Benjamin Conley	Richmond	Augusta	New Jersey	38	.....	Yea
Martin Cooper	Pike	Griffin	Georgia	54	.....	Yea
John T. Costin	Talbot	Talbotton	Virginia	1	Negro	Yea
D. G. Cotting	Wilkes	Washington	South Carolina..	42	.....	Yea
Wm. T. Crane	Towns	Hiwassee .....	.....	.....	.....	.....
S. W. Crawford	Franklin	Carnesville	South Carolina..	30	.....	.....
Thomas Crayton	Stewart	Lumpkin	Georgia	30	Negro	Yea
Robert Crumley	Warren	Warrenton	Georgia	36	Negro	Yea
J. L. Cutler	Brooks	Quitman .....	.....	.....	.....	.....
Samuel E. Dailey	Henry	McDonough	Georgia	27	.....	Yea
Charles D. Davis	Walton	Monroe	Vermont	47	.....	Yea
W. W. Dewes	Baker	Millford	Georgia	32	.....	Nay
Jesse Dinkins	Schley	Ellaville	Georgia	43	Negro	Yea
Benja'n Dunnegan	Hall	Gainesville	South Carolina..	67	.....	Yea
James L. Dunning	Fulton	Atlanta	Connecticut	20	.....	Yea

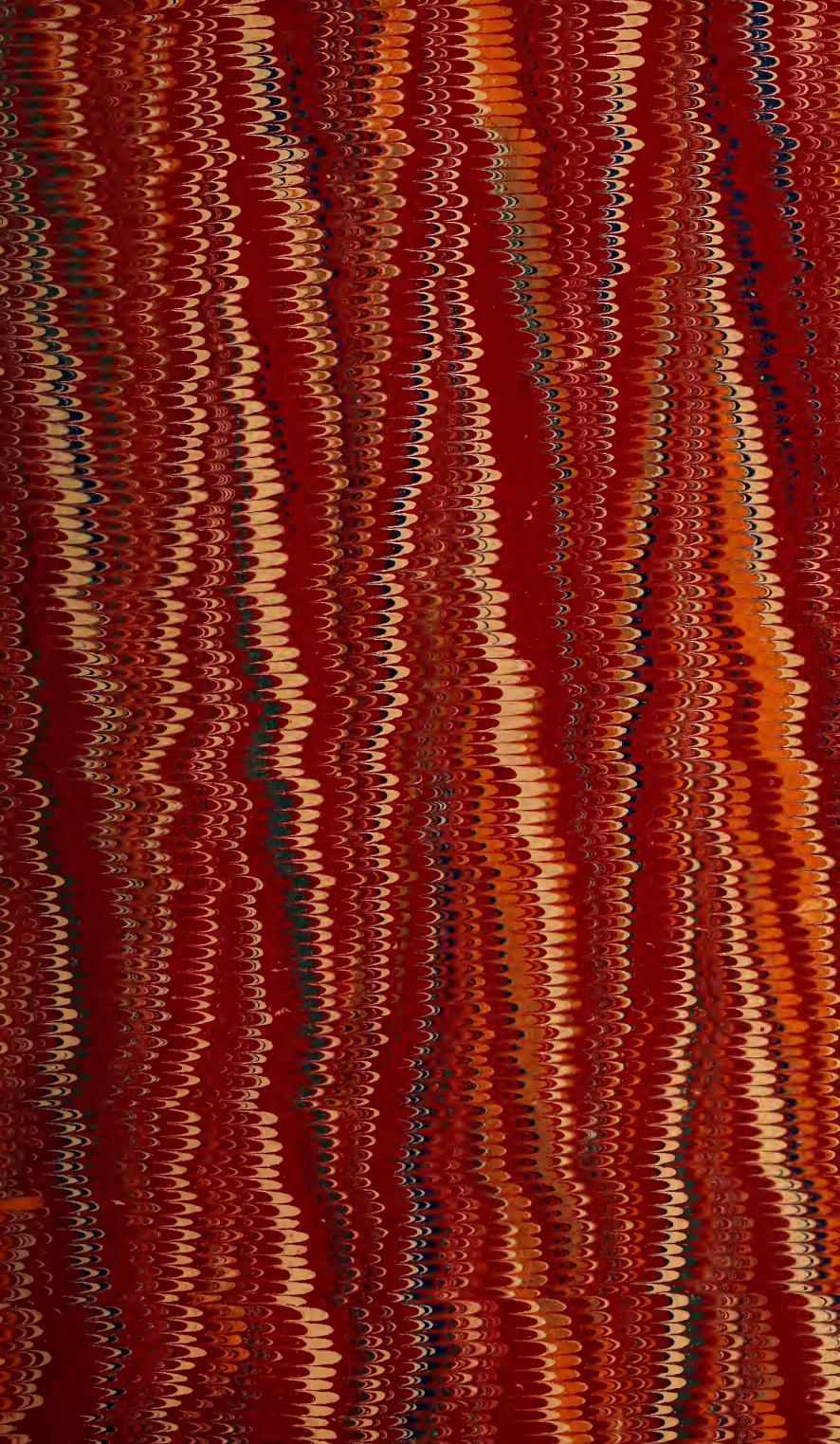
Name.	County.	Post office.	Nativity.	No. of years in Georgia.	Race.	Vote on the Constitution.
Wm. P. Edwards	Taylor	Butler	Georgia	29		Yea
C. A. Ellington	Gilmer		Georgia	55		Yea
S. E. Fields	Murray	Springplace	South Carolina	35		
John H. Flynn	Fulton	Atlanta	Pennsylvania	20		Yea
William A. Fort	Floyd	Rome	Georgia	50		
Albert G. Foster	Morgan	Madison	Georgia	49		Nay
Thomas J. Foster	Paulding	Dallas	South Carolina	33		Nay
Thomas Gibson	Twiggs	Gordon	Georgia	48		
Thomas Gilbert	Chattah'chee	Columbus	North Carolina	73		Yea
H. H. Glisson						
Henry S. Glover	Jasper	Monticello	Georgia	50		
W. L. Goodwin	Bartow	Cartersville	Ohio	16		Yea
Samuel F. Gove	Twiggs	Griswoldville	Massachusetts	30		Yea
W. A. Golden	Liberty	Cho. Sta., G. R. R. 5	Georgia	64	Negro	Yea
William Griffin	Twiggs	Gordon	Georgia	43		Yea
William Guilford	Upson	Thomaston	Georgia	25	Negro	Yea
John E. Hall	Sumter	Americus				
George Harlan	Heard	Franklin	Georgia	53		
Asa L. Harris	Chatham	Savannah	Vermont	3		
John Harris	Newton	Covington	Pennsylvania	38		Yea
W. H. Harrison	Hancock	Sparta	Georgia	24	Negro	Yea
A. H. Harrison	Carroll	Villa Rica	North Carolina	40		Yea
John Higden	Decatur	Bainbridge	Georgia	59		Yea
E. I. Higbee	Talbot	Talbotton	Vermont	20		Yea
Charles Hooks	Wilkinson	Irwinton	Georgia	48		Yea
A. W. Holcombe	Milton	Alpharetta	South Carolina	17		Nay
C. H. Hopkins	Chatham	Savannah	Georgia	53		Yea
N. P. Hotelkiss	Walton	Monroe	New York	18		Yea
S. T. Houston	Cherokee	Hickory Flat	North Carolina	14		
W. J. Howe	Pike	Milner	Georgia	52		
J. R. Hudson	Putnam	Eatonton	Georgia	47		
R. B. Hutchinson	Haralson	Buchanan	Georgia	42		Yea
David Irwin	Cobb	Marietta				
J. A. Jackson	Randolph	Cuthbert	Virginia	3	Negro	Yea
Philip Joiner	Dougherty	Albany	Virginia	17	Negro	Yea
Van Jones	Muscogee	Columbus	Georgia	35	Negro	Yea
W. F. Jordan	Jasper	Monticello	Georgia	34		Yea
J. M. Key	Merriwether	Lutherville	Georgia	49		Yea
John H. King	Whitfield	Dalton	Georgia	31		Nay
I. J. Knight	Berrien					
James Knox	Columbia	Lombardy	Scotland	40		Yea
E. W. Lane	Laurens					
W. C. Lee	Clayton	Jonesboro	Georgia	48		Yea
George Linder	Laurens	Oconee	Georgia	34		Yea
J. G. Lott	Forsyth	Cumming	South Carolina	46		Yea
Robert Lumpkin	Macon	Oglethorpe	Virginia	40	Negro	Yea
J. A. Madden	Burke	Waynesboro	Maryland	21½		Yea
Posey Maddox	Houtson	Atlanta	South Carolina	58		Yea
C. C. Martin	Calhoun	Cuthbert	South Carolina	30		
Philip Martin	Habersham	Walton's Ford	Georgia	62		
E. B. Martin	Carroll	Carrollton	South Carolina	44		Nay
W. L. Marler	Jackson	Jefferson	North Carolina	35		Yea
J. Mathews	Gwinnett	Yellow River	Georgia	34		Yea
J. G. Maul	Muscogee	Columbus	South Carolina	20		Yea
H. K. McKay	Sumter	Americus	Pennsylvania	27		Yea
Wilkey McMan	Pieken	Jasper	North Carolina	19		Yea
Joseph McWhorter	Oglethorpe	Bairdstown	Georgia	35		
H. V. M. Miller	Fulton	Atlanta	South Carolina	45		Yea
S. T. W. Minor	Fayette	Fayetteville	Georgia	50		Yea
A. M. Moore	Pierce					
Romulus Moore	Columbia	Lombardy	Georgia	49	Negro	Yea
Milton Moore	White	Leo	South Carolina	40		Yea
John Murphy	Dougherty	Albany	Kentucky	2		Yea
John Neal	Glascock	Warrenton	Georgia	24		Yea
W. H. Noble	Randolph	Cuthbert	Alabama	5	Negro	Yea
Daniel Palmer	Washington	Sandersville	Georgia	41	Negro	Yea
J. R. Parrott	Bartow	Cartersville	Tennessee	20		Yea
Lewis Pope	Wilkes	Washington	Georgia	46	Negro	Yea
M. A. Poits	Monroe	Forsyth	Georgia	32		Yea
B. F. Powell	Decatur	Bainbridge				
C. H. Prince	Washington	Augusta	Maine	2		Yea
W. H. D. Reynolds	Chatham	Savannah	Georgia	43	Negro	Yea
J. C. Rice	Bullock	Augusta	New York	1½		Yea
C. C. Richardson	Baldwin	Augusta	Maine	3		
Lewis H. Roberts	Echols	Statenville	Georgia	30		
Robert Robertson	Troup	O'Neal's Mills	Scotland	34		Yea

Name.	County.	Post office.	Nativity.	No. of years in Georgia.	Race.	Vote on the Constitution.
W. H. Rozar.....	Spalding.....	Griffin.....	Georgia.....	28	.....	Yea
T. P. Saffold.....	Morgan.....	Madison.....	Georgia.....	45	.....	Yea
S. P. Saniter.....	Pulaski.....	Hawkinsville.....	Georgia.....	28	.....	.....
Isaac Seeley.....	Chatham.....	Savannah.....	New York.....	1 $\frac{1}{4}$	.....	Yea
Josiah Sherman.....	Columbia.....	Augusta.....	Vermont.....	2 $\frac{1}{2}$	.....	Yea
J. M. Shields.....	Walker.....	Rock Springs.....	Tennessee.....	24	.....	Yea
Wesley Shropshire.....	Chattooga.....	Dirt Town.....	Georgia.....	66	.....	Yea
B. D. Shumate.....	DeKalb.....	Lithonia.....	South Carolina.....	50	Yea
Benjamin Sikes.....	Dougherty.....	Albany.....	Virginia.....	47	Negro	Yea
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W. C. Smith.....	Coweta.....	Grantville.....	Georgia.....	34	Yea
M. C. Smith.....	Thomas.....	Thomasville.....	Georgia.....	46	Yea
F. T. Snead.....	Macon.....	Oglethorpe.....	.....	.....	.....	.....
L. L. Stanford.....	Harris.....	Hamilton.....	Georgia.....	36	.....	Nay
Simon Stanley.....	Wilcox.....	House Creek.....	Maine.....	23	.....	Yea
James Stewart.....	Chatham.....	Savannah.....	North Carolina.....	35	Negro	Yea
T. J. Speer.....	Pike.....	Liberty Hill.....	Georgia.....	30	.....	Yea
Alexander Stone.....	Jefferson.....	Louisville.....	Georgia.....	39	Negro	Yea
Henry Strickland.....	Greene.....	Greensboro'.....	Georgia.....	42	Negro	Yea
W. C. Supple.....	Baldwin.....	Milledgeville.....	Ireland.....	12	.....	Yea
L. N. Traammell.....	Gordon.....	Calhoun.....	Georgia.....	37	.....	Nay
J. W. Traywick.....	Pulaski.....	Hawkinsville.....	Georgia.....	45	.....	Yea
H. M. Turner.....	Bibb.....	Macon.....	South Carolina.....	4	Negro	Yea
James D. Waddell.....	Polk.....	Cedartown.....	South Carolina.....	28	.....	Nay
George Wallace.....	Baldwin.....	Milledgeville.....	Georgia.....	28	Negro	Yea
O. H. Walton.....	Houston.....	Fort Valley.....	Georgia.....	46	Yea
F. O. Welch.....	Dougherty.....	Albany.....	Maine.....	37	Yea
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John Whitaker.....	Terrell.....	Dawson.....	Georgia.....	0	Negro	Yea
R. H. Whitely.....	Decatur.....	Bainbridge.....	Ireland.....	30	Yea
G. G. Wilbur.....	Bibb.....	Macon.....	Yea
Samuel Williams.....	Harris.....	Hamilton.....	North Carolina.....	50	Negro	Yea
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